

By Mr. MAGUIRE of Nebraska: Petition of business men of the first Nebraska congressional district, for Senate bill 3776, the Cummins bill; to the Committee on Interstate and Foreign Commerce.

Also, petition of business men of Eagle, Alvo, Beatrice, and Johnson, Nebr., against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. NICHOLLS: Petition of citizens of the State of Pennsylvania, for construction of battleship *New York* in the Brooklyn Navy Yard and for the eight-hour clause; to the Committee on Naval Affairs.

By Mr. OLDFIELD: Paper to accompany bill for relief of John C. Dunehew; to the Committee on Invalid Pensions.

By Mr. A. MITCHELL PALMER: Memorials of Local Council No. 90, of Spring City, Pa., and Local Council No. 921, of Port Matilda, Pa., Junior Order United American Mechanics, for illiteracy test of immigrants; to the Committee on Immigration and Naturalization.

Also, petition of Local Union No. 228, United Brotherhood of Carpenters and Joiners; Washington Camp No. 601, Patriotic Order Sons of America; Newton (Pa.) Council, Morning Star Council, No. 29, Star Council, No. 68, and Penn Council, No. 106, Junior Order United American Mechanics, for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. RUCKER of Colorado: Petition signed by K. Howard and others, for the building of the battleship *New York* in a Government navy yard; to the Committee on Naval Affairs.

By Mr. SHEPFIELD: Petition of Hon. Fletcher W. Lawton, Hon. Henry K. Littlefield, and Hon. Henry C. Wilcox, members of the house of representatives of Rhode Island and Providence Plantations, against the free-fish schedule in House bill 32216; to the Committee on Ways and Means.

Also, paper to accompany bill for relief of Thomas Congdon; to the Committee on Invalid Pensions.

By Mr. SHEPPARD: Petition of citizens of the first congressional district of Texas, against enactment into law by Congress of parcels-post recommendation; to the Committee on the Post Office and Post Roads.

By Mr. SIMMONS: Petition of citizens of New York, for construction of battleship *New York* in the Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, petition of Stafford (N. Y.) Grange, No. 418, Patrons of Husbandry, against Canadian reciprocity; to the Committee on Ways and Means.

Also, petition of Local No. 24, United Brotherhood of Carpenters and Joiners of America, for enactment of more restrictive immigration laws; to the Committee on Immigration and Naturalization.

By Mr. SMITH of Michigan: Petition of John R. Black and 8 others, of Ogemaw County; Joseph Yelle and 40 others, of Marquette County; Thomas Hill and 9 others, of St. Clair County; William Smith and 34 others, of St. Clair County; Jesse Van Riper and 26 others, of Wayne and Monroe Counties; Frank Peters and 15 others, of Wayne and Monroe Counties; Rudolph Templeton and 11 others, of Sanilac County; W. B. Frost and 39 others, of Ingham County; L. McArdle and 39 others, of Iosco County; L. McArdle and 33 others, of Iosco County; and W. M. Osborne and 6 others, of Ogemaw County, all in the State of Michigan, for a parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. THOMAS of North Carolina: Paper to accompany bill for relief of A. M. Williams; to the Committee on War Claims.

By Mr. THOMAS of Ohio: Petition of Standing Rock Council, No. 276, Junior Order United American Mechanics, for enactment of the illiteracy-test immigration law; to the Committee on Immigration and Naturalization.

By Mr. TILSON: Petition of Connecticut State Grange, favoring extension of parcels post; to the Committee on the Post Office and Post Roads.

By Mr. WILSON of Pennsylvania: Petitions of Washington Camps Nos. 385, of Beech Creek; 222, of Newberry; 612, of Unityville; 578, of South Williamsport; 158, of Hughesville; 574 of Williamsport; and 299, of Montoursville, Pa., Patriotic Order Sons of America, for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. WOOD of New Jersey: Petitions of Mercer County Central Labor Union and Local Union No. 62, American Federation of Musicians, Trenton, N. J., for construction of battleships in Government navy yards; to the Committee on Naval Affairs.

Also, petitions of Washington Camps Nos. 50, of Titusville, and 54, of Baptistown, Patriotic Order Sons of America, for House bill 15413; to the Committee on Immigration and Naturalization.

SENATE.

SATURDAY, February 11, 1911.

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

Almighty God, our heavenly Father, whom alike the living and the dead praise, we thank Thee for this day of reverent memory and of tender recollection. We thank Thee, who art the giver of every good gift and of every perfect boon, for the lives and services of those whom our lips shall this day name. It is hard to yield up those who have labored by our side and have shared our councils. As they stand again before us in memory and again live in our hearts, teach our tongues fit words to utter our sense of loss and to voice our unchanged devotion. Sanctify to us, we implore Thee, the services of this day, and make us worthy of the fellowship of those who in newness of life dwell with Thee in Thy heavenly kingdom. Join our hearts with theirs, and unite our spirits with the faithful and true, there and here, in one light of faith, one beauty of holiness, one repose on Thee.

And unto Thee, our Father, who has loved us and hast given us eternal comfort and good hope through grace, will we ascribe praise now and forevermore. Amen.

THE JOURNAL.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. Smoot and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by W. J. Browning, its Chief Clerk, announced that the House had passed the following bills:

S. 2469. An act for the relief of Alfred Childers;

S. 10348. An act to convey to the city of Fort Smith, Ark., a portion of the national cemetery reservation in said city;

S. 10594. An act to authorize S. G. Guerrier, of Atchison, Kans., to construct a bridge across the Missouri River near the city of Atchison, Kans.; and

S. 10595. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message also announced that the House had passed the following bills, with amendments, in which it requested the concurrence of the Senate:

S. 10326. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

S. 10327. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors;

S. 10453. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors; and

S. 10454. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

The message further announced that the House had agreed to the amendments of the Senate to the following bills and joint resolution:

H. R. 30135. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

H. R. 30886. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

H. R. 31161. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

H. R. 32222. An act authorizing homestead entries on certain lands formerly a part of the Red Lake Indian Reservation, in the State of Minnesota; and

H. J. Res. 209. Joint resolution for the relief of Thomas Hoyne.

The message also announced that the House insists upon its amendments to the bill (S. 6953) authorizing contracts for the disposition of waters of projects under the reclamation act,

and for other purposes, disagreed to by the Senate, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. REEDER, Mr. COLE, and Mr. SMITH of Texas managers at the conference on the part of the House.

The message further announced that the House disagreed to the amendment of the Senate to the bill (H. R. 26150) to authorize the cities of Boston and Cambridge, Mass., to construct drawless bridges across the Charles River, between the cities of Cambridge and Boston, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and has appointed Mr. MANN, Mr. WASHBURN, and Mr. ADAMSON managers at the conference on the part of the House.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 16268. An act for the relief of Thomas Seals;

H. R. 30160. An act for the relief of John Lee, alias James Riley;

H. R. 32435. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

H. R. 32674. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

H. R. 32675. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors.

The message further announced that the House had passed a concurrent resolution authorizing the enrollment clerk of the House in the enrollment of the bill (H. R. 14729) for the relief of Capt. Evan M. Johnson, United States Army, to strike out of line 10 of the engrossed bill the words "March 24, 1902," and insert "May 16, 1899," the latter being the date of the sinking of the transport *Meade*, mentioned in the bill in question, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

S. 3315. An act amending an act entitled "An act to amend an act to provide the times and places for holding terms of the United States court in the States of Idaho and Wyoming," approved June 1, 1898;

H. R. 18342. An act for the relief of E. C. Young;

H. R. 18857. An act for the relief of Laura A. Wagner;

H. R. 21646. An act for the relief of William Doherty;

H. R. 23361. An act authorizing the Hot Springs Lodge, No. 62, Ancient Free and Accepted Masons, under the jurisdiction of the Grand Lodge of Arkansas, to occupy and construct buildings for the use of the organization on lots Nos. 1 and 2, in block No. 114, in the city of Hot Springs, Ark.;

H. R. 29300. An act authorizing the Secretary of the Interior to sell a certain 40-acre tract of land to the Masonic Order in Oklahoma;

H. R. 30149. An act to transfer the military reservation known as Fort Trumbull, situated at New London, Conn., from the War Department to the Treasury Department, for the use of the Revenue-Cutter Service;

H. R. 31172. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows and dependent relatives of such soldiers and sailors; and

H. R. 31859. An act to authorize the Chucawalla Development Co. to build a dam across the Colorado River at or near the mouth of Pyramid Canyon, Ariz., also a diversion intake dam at or near Black Point, Ariz., and Blythe, Cal.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the New Hampshire Daughters' Club, of Boston, Mass., praying for the preservation of forest reservations at the headwaters of navigable streams, which was ordered to lie on the table.

He also presented a memorial of the secretary of the municipality of Gobierno, Iloilo, P. I., remonstrating against certain language used in an address by Hon. Dean C. Worcester, secretary of the interior and a member of the Civil Commission of the Philippine Islands, before the Young Men's Christian Asso-

ciation, which was referred to the Committee on the Philippines.

Mr. McCUMBER presented a petition of members of the Book and Thimble Club, of Williston, N. Dak., praying that an investigation be made into the condition of dairy products for the prevention and spread of tuberculosis, which was referred to the Committee on Manufactures.

Mr. SCOTT presented memorials of the Hutchinson-Stephen Hat Co., the Payne Shoe Co., Lewis Hubbard & Co., Noyes, Thomas & Co., the Hubbard-Bedell Co., the Abney-Barnes Co., the Schwabe Clothing Co., the F. H. Hammond Notion Co., the Charleston Hardware Co., the Thomas Shoe Co., the H. O. Baker Furniture Co., Loewenstein & Sons, and of the Business Men's Association, all of Charleston, in the State of West Virginia, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Valley Star Council, Junior Order United American Mechanics, of Limestone, W. Va., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. BRISTOW. I present two telegrams which I have received, and I request that they be read.

There being no objection, the telegrams were read and ordered to lie on the table, as follows:

DES MOINES, IOWA, February 10, 1911.

Senator BRISTOW, Washington, D. C.:

Bill increasing postage rate to 4 cents a pound would be ruinous to agricultural papers. These papers are doing more to improve farming and educate farmers than any other influence, not only by their own teaching but by publishing work of the Agricultural Department and colleges and experiment stations. This country needs the work of the agricultural press now more than ever before, and any restriction would be a national calamity.

HENRY WALLACE, Editor Wallace's Farmer.

BOSTON, MASS., February 10, 1911.

Hon. JOSEPH L. BRISTOW,
United States Senate, Washington, D. C.:

The Modern Priscilla, with 24 years' clean record, one-quarter million circulation, giving employment to 200 people, will face ruin if postage is changed from 1 cent to 4 cents per pound, unless the public bears the burden.

We ask for a fair deal. We protest against possible annihilation. Will you come to our relief?

THE PRISCILLA PUBLISHING CO.

Mr. KEAN. I present a telegram, in the nature of a petition, which I desire to have read. I suggest that it had better follow those presented by the Senator from Kansas [Mr. BRISTOW].

There being no objection, the telegram was read, as follows:

NEW YORK, February 11, 1911.

Hon. JOHN KEAN, Washington, D. C.:

For God's sake kill amendment increasing postage rate on advertising matter in periodicals.

NEW YORK MEDICAL JOURNAL.

Mr. BEVERIDGE. I should like to ask whether the Senator intends to do it.

The VICE PRESIDENT. The telegram will lie on the table.

Mr. KEAN presented a memorial of the Young Friends' Association of Mickleton, N. J., remonstrating against any appropriation being made for the fortification of the Panama Canal, which was referred to the Committee on Inter-oceanic Canals.

He also presented the petition of Felix S. Jacobson, of Arlington, N. J., and the petition of Curtis W. Tallman, of Atlantic Highlands, N. J., praying for the passage of the so-called old-age pension bill, which were referred to the Committee on Pensions.

He also presented a petition of Wilson Lodge, No. 272, Brotherhood of Locomotive Firemen, of Hampton, N. J., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented the petition of Edmund A. Horton, of New York City, N. Y., and the petition of Harry Wooten, of Atlantic City, N. J., praying for the enactment of legislation providing for the establishment of a department of public health, which were referred to the Committee on Public Health and National Quarantine.

He also presented the memorial of William Kugler, of Hillsdale, N. J., and the memorial of M. T. Richardson, of Ridgewood, N. J., remonstrating against an increase of the postage on advertising sections of magazines and other periodicals, which were ordered to lie on the table.

He also presented petitions of Washington Camps Nos. 73, of Hammononton; 61, of Flemington; 23, of Palmyra; 150, of Titusville; 86, of Smithburg; and 141, of Hopewell, Patriotic Order Sons of America; and of Local Union No. 178 and Local

Union No. 139, United Brotherhood of Carpenters and Joiners of America, of Jersey City, in the State of New Jersey, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. BEVERIDGE. I present a telegram, which I ask may be read and lie on the table.

There being no objection, the telegram was read and ordered to lie on the table, as follows:

DES MOINES, IOWA, February 10, 1911.

Senator BEVERIDGE, Washington, D. C.:

Bill increasing postage rate to 4 cents a pound would be ruinous to agricultural papers. These papers are doing more to improve farming and educate farmers than any other influence, not only by their own teaching, but by publishing work of the Agricultural Department and colleges and experiment stations. This country needs the work of the agricultural press now more than ever before, and any restriction would be a national calamity.

HENRY WALLACE, Editor Wallace's Farmer.

Mr. BEVERIDGE presented a petition of Major Robert Anderson Post, No. 369, Grand Army of the Republic, Department of Indiana, of Indianapolis, Ind., praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

Mr. BURKETT. I present a communication from Henry C. Richmond, chief clerk of the House of Representatives of the Legislature of the State of Nebraska, which I ask may be printed in the RECORD and referred to the Committee on Public Buildings and Grounds.

There being no objection, the communication was referred to the Committee on Public Buildings and Grounds and ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES, THIRTY-SECOND SESSION,
OFFICE OF CHIEF CLERK,
Lincoln, Nebr., February 6, 1911.

Hon. E. J. BURKETT,
United States Senate, Washington, D. C.

DEAR SIR: I have the honor to transmit herewith the following copy of a resolution passed by the house to-day. It has to do with house roll No. 71, a joint and concurrent resolution enacted by the legislature of 1909. The resolution of to-day is designed to get the goods. In short, we need that clock.

"Whereas the thirty-first session of the Nebraska Legislature duly passed a resolution memorializing the Congress of the United States to erect on the Federal building at Lincoln, Nebr., a large clock; and
"Whereas the chief clerk of this house was instructed thereby to transmit a copy of the resolution to each member of the Nebraska delegation in either House of the said Congress; and

"Whereas it appears that the resolution was not so transmitted; and
"Whereas the Congress of the United States has not ordered to be erected a large clock for the said Federal building: Therefore be it

Resolved, That the chief clerk of the thirty-second session of the Nebraska Legislature is hereby instructed to transmit the aforementioned resolution to each member of the Nebraska delegation in the House of Representatives and the Senate of the United States."

Yours, very respectfully,

HENRY C. RICHMOND, Chief Clerk.

Mr. BURKETT. I present a resolution adopted by the Legislature of the State of Nebraska, which I ask may be printed in the RECORD and referred to the Committee on Pensions.

There being no objection, the resolution was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

[By the House of Representatives, thirty-second session of the Legislature of Nebraska.]

A half century has passed into history since the guns of Sumter proclaimed the beginning of that great struggle between the Northern and Southern States of the Union—an internecine contest that has no parallel in the annals of war.

In this arbitrament by force of arms 2,000,000 men of the North stood to the front of battle, opposed by the men of the South, no less skilled in the art of war, no less determined and courageous.

During the four years' continuation of this Titan struggle for supremacy, from Sumter to Appomattox, to finally settle the question whether or not "this Nation, under God, should have a new birth of freedom, and that government of the people, by the people, for the people, should perish from the earth," 359,458 soldiers of the Union gave up their lives, 275,175 were maimed, and 428,664 discharged by reason of disabilities incurred in line of duty.

In the light of history and in contemplation of these 50 years of most marvelous national prosperity, achievement, and progress, and, above all, in contemplation and enjoyment by all of our people of a more perfect Union, years that have tempered with a broader charity the judgments of men, crumbled to dust the bastion and the redoubt, carpeted with verdure the scarred fields of battle, and garlanded alike with wreath and flower the graves of those who wore the blue and those who wore the gray, no man will be found to say that the soldiers of the Union suffered for naught or laid down their lives in vain.

Of the 2,000,000 enrollments in the Union Army there survive approximately 400,000, of an average age of 68 years. In the course of nature, before the close of the decade upon which we have just entered, the great majority of these will have answered to the last "roll call."

We would make no invidious comparison as between the volunteer and regular soldiers of our Army, but state the fact to be that our Government has ever pursued the policy of depending upon its citizen soldiery in times of great emergency, rather than maintain a large and adequate standing army at vast expense. The history of all of our wars substantiates this statement, and it may be noted here that at the beginning of the Civil War the Regular Army contained approximately 16,000 officers and men. This being a fact, and viewing the whole matter purely from a mercenary standpoint, is it not well, as a matter of financial policy alone, that we redeem all of our promises,

written or implied, and treat our country's defenders at least as justly and liberally as we have our bondholders: Be it

Resolved by the Nebraska house of representatives, That we contemplate with satisfaction and approval the action taken by the House of Representatives of Congress of the United States upon a measure therein pending, known as the Sulloway bill, providing for service pensions for surviving Civil War veterans, and we do hereby memorialize and petition the Senate of the United States to concur in the action of the House of Representatives in this behalf.

The chief clerk of the house of representatives is instructed and directed to transmit to Nebraska's Senators, ELMER J. BURKETT and NORRIS BROWN, duly attested copies of this preamble and resolution, with the request that they present the same to the Senate of the United States for its consideration.

Mr. BURKETT presented a memorial of sundry citizens of Chadron, Nebr., remonstrating against the establishment of a national department of health, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of Strong Post, No. 91, Department of Nebraska, Grand Army of the Republic, of Minden, Nebr., praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

He also presented memorials of sundry citizens of Shelby and Omaha, in the State of Nebraska, remonstrating against the passage of the so-called rural parcels-post bill, which were ordered to lie on the table.

Mr. GORE. I present a telegram from the Southern Periodical Publishers' Association, of Atlanta, Ga., which I ask may lie on the table and be printed in the RECORD.

There being no objection, the telegram was ordered to lie on the table, and to be printed in the RECORD, as follows:

ATLANTA, GA., February 10, 1911.

The Hon. THOMAS P. GORE,
United States Senate, Washington, D. C.:

We appeal to you as a friend of the American people and as an advocate of justice to endeavor to prevent the backward step proposed by the Senate committee with reference to second-class postage. We feel that we should inform you that we have wired Senators TALIAFERRO, TAYLOR, and BANKHEAD as follows:

"We are astounded at your position on the postal-rate matter. This means ruin and bankruptcy for hundreds of southern periodicals if enacted. It penalizes the energy and ambition of the South's educators and business builders. In the name of 84 southern periodicals we protest the committee's action, and urge your reconsideration."

SOUTHERN PERIODICAL PUBLISHERS' ASSOCIATION.

Mr. WATSON presented a petition of Valley Star Council, Junior Order United American Mechanics, of Limestone, W. Va., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented memorials of the Association of Credit Men, the Commercial Travelers' Association, and the Retail Grocers' Protective Association, all of Charleston, in the State of West Virginia; and of the Retail Business Men's Association of West Virginia, remonstrating against the passage of the so-called rural parcels-post bill, which were ordered to lie on the table.

Mr. OLIVER presented a memorial of the Pennsylvania Retail Hardware Association, remonstrating against the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

Mr. SHIVELY presented a petition of Purcell Local Union, No. 206, Farmers' Educational & Cooperative Union of America, of Vincennes, Ind., praying for the passage of the so-called parcels-post bill, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Lawton-Wayne Post, No. 271, Department of Indiana, Grand Army of the Republic, of Fort Wayne, Ind., praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

He also presented a petition of Local Union No. 300, Cigar Makers International Union, of Michigan City, Ind., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

Mr. PILES presented a petition of Local Union No. 131, United Brotherhood of Carpenters and Joiners of America, of Seattle, Wash., praying for the construction of the battleship *New York* in a Government navy yard, which was referred to the Committee on Naval Affairs.

Mr. DEPEW presented petitions of Grover Post, No. 98, of Cortland; Tilton Post, No. 660, of Moscow; J. B. Sloan Post, No. 93, of Penn Yan; and of Devin Post, No. 148, of Brooklyn, Grand Army of the Republic, Department of New York, all in the State of New York, praying for the passage of the so-called old-age pension bill, which were referred to the Committee on Pensions.

He also presented petitions of Local Unions Nos. 138, of Metropolis Hall; 251, of Kingston; 187, of Geneva; 1377, of Buffalo; 301, of Newburgh; and 1211, of Syracuse, all of the United Brotherhood of Carpenters and Joiners; of Local No. 829, American Federation of Labor; of Washington Camp

No. 8, of Waverly, Patriotic Order Sons of America; and of Onondaga Council, No. 10, of Syracuse, Junior Order United American Mechanics, all in the State of New York, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented memorials of the New York State Grange, and the Board of Trade of Niagara Falls, N. Y., remonstrating against the ratification of the proposed reciprocity agreement between the United States and Canada, which were referred to the Committee on Foreign Relations.

Mr. BURNHAM presented a petition of the Paul Revere Council, of Epping, and of the Orient Council, of Newton, Junior Order United American Mechanics, in the State of New Hampshire, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented a petition of Robert Campbell Post, No. 58, Grand Army of the Republic, Department of New Hampshire, of Bradford, N. H., praying for the passage of the so-called old-age pension bill, which was referred to the Committee on Pensions.

DELAWARE RIVER BRIDGE.

Mr. PILES, from the Committee on Commerce, to which was referred the bill (S. 10632) to authorize the North Pennsylvania Railroad Co. and the Delaware & Bound Brook Railroad Co. to construct a bridge across the Delaware River, from Lower Makefield Township, Bucks County, Pa., to Ewing Township, Mercer County, N. J., reported it without amendment and submitted a report (No. 1142) thereon.

SUFFERERS FROM FAMINE IN CHINA.

Mr. WARREN. I report back from the Committee on Military Affairs favorably, with amendments, the bill (H. R. 32473) for the relief of sufferers from famine in China. It provides for the transportation of supplies from the Red Cross Society to be sent to the suffering Chinese. I ask for its immediate consideration.

The VICE PRESIDENT. The bill will be read for the information of the Senate.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendments were, in line 4, before the words "National Red Cross Society," to insert the word "American;" after the word "Society" to strike out the word "all" and in lieu thereof insert "the;" in line 7, after the words "Army transports," to insert the words "to make a trip;" and to add at the end of the bill the following proviso:

Provided, That the total expense thus incurred shall not exceed \$50,000. And the sum of \$50,000 is hereby appropriated and authorized to be paid out of any moneys in the Treasury not otherwise appropriated, for the purpose specified in this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War is hereby authorized to transport, under the supervision of the American National Red Cross Society, the supplies donated by the people of the United States for the relief of the sufferers from famine in China, and for this purpose may order one of the Army transports to make a trip from Seattle, Wash., to China: *Provided*, That the total expense thus incurred shall not exceed \$50,000. And the sum of \$50,000 is hereby appropriated and authorized to be paid out of any moneys in the Treasury not otherwise appropriated for the purpose specified in this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

WILLIAM P. DRUMMON.

Mr. WARREN. I send to the desk the bill (S. 10743) for the relief of William P. Drummon, which I report back from the Committee on Military Affairs, and I ask for its indefinite postponement, the subject matter having been provided for in a previous measure.

The VICE PRESIDENT. Without objection the action requested will be taken.

PROTECTION AND PRESERVATION OF FOOD FISHES.

Mr. SMOOT. From the Committee on Printing I report back favorably without amendment the joint resolution (S. J. Res. 139) authorizing the printing of the message of the President, together with the report of the agent of the United States in the North Atlantic Coast Fisheries Arbitration at The Hague (S. Doc. No. 806), and I ask for its immediate consideration.

The Secretary read the joint resolution; and there being no objection, the Senate, as in Committee of the Whole, pro-

ceeded to its consideration. It provides that the President's message of February 1, 1911, together with the report of the agent of the United States in the North Atlantic Coast Fisheries Arbitration at The Hague, transmitted herewith, and the appendices to the report, shall be printed as a public document, together with an additional 500 copies for the Department of State, the cost thereof to be defrayed out of the appropriation for printing and binding for Congress.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DIXON:

A bill (S. 10761) to amend section 3 of the act of Congress of May 1, 1888, and extend the provisions of section 2301 of the Revised Statutes of the United States to certain lands in the State of Montana embraced within the provisions of said act, and for other purposes; and

A bill (S. 10762) to amend section 3 of the act of Congress of May 1, 1888, and extend the provisions of section 2301 of the Revised Statutes of the United States to certain lands in the State of Montana embraced within the provisions of said act, and for other purposes; to the Committee on Public Lands.

By Mr. PERCY:

A bill (S. 10763) granting an increase of pension to William Harcastle, alias Jacob Salter; to the Committee on Pensions.

By Mr. BURTON:

A bill (S. 10764) granting a pension to Andrew Knight (with accompanying papers); to the Committee on Pensions.

By Mr. JOHNSTON (for Mr. BANKHEAD):

A bill (S. 10765) for the relief of the representatives of the estate of Henry C. Sills, deceased; and

A bill (S. 10766) for the relief of the representatives of the estate of Henry C. Sills, deceased; to the Committee on Claims.

By Mr. SCOTT:

A bill (S. 10767) providing for the issuance of a charter to the Veteran Reserve Corps of America, a corporate military organization; to the Committee on Military Affairs.

A bill (S. 10768) granting an increase of pension to Riley Monroe (with accompanying papers); to the Committee on Pensions.

By Mr. SMITH of South Carolina:

A bill (S. 10769) granting a pension to Charles J. Tribble; to the Committee on Pensions.

By Mr. WARREN:

A bill (S. 10770) fixing the rank of military attachés; to the Committee on Military Affairs.

By Mr. SHIVELY:

A bill (S. 10771) granting a pension to Josephine Moore (with accompanying paper); to the Committee on Pensions.

By Mr. SMOOT:

A bill (S. 10772) granting a pension to John H. Kidd; and

A bill (S. 10773) granting an increase of pension to James A. Bean (with accompanying paper); to the Committee on Pensions.

By Mr. CULLOM:

A bill (S. 10774) for the relief of William Leech; to the Committee on Claims.

By Mr. FLINT:

A bill (S. 10775) for the relief of Alice V. Houghton; to the Committee on Claims.

By Mr. DIXON:

A bill (S. 10776) granting an increase of pension to Frank N. Jamelson; to the Committee on Pensions.

Mr. McCUMBER. I introduce a joint resolution for an investigation of all wireless telegraph companies and corporations in the United States.

The joint resolution (S. J. Res. 141) for the investigation of all wireless telegraph companies and corporations in the United States was read twice by its title.

The VICE PRESIDENT. The joint resolution will be referred to the Committee on Commerce.

Mr. KEAN. I think it should go to the Committee on Foreign Relations.

Mr. BURTON. A bill on that subject heretofore has gone to the Committee on Commerce.

Mr. KEAN. The Committee on Foreign Relations had charge of the treaty in regard to wireless telegraphy, and I supposed the joint resolution referred to our foreign relations in regard to the matter, and therefore I suggested that it should go to the Committee on Foreign Relations.

Mr. McCUMBER. I think it should go to the Committee on Commerce.

Mr. KEAN. I have no objection to that reference.

The VICE PRESIDENT. The Chair thinks the joint resolution, which on its face shows that it refers to domestic corporations and not to foreign corporations, should be referred to the Committee on Commerce. The reference will be to that committee.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. DEPEW submitted an amendment providing for a professional investigation including the sum of \$1,500 on account of professional instruction given by George H. Baker in the economical firing of boilers on board the ships of the Navy, etc., intended to be proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs and ordered to be printed.

Mr. BACON submitted an amendment proposing to appropriate \$1,500 to procure for the courtroom of the Supreme Court of the United States a marble bust, with pedestal, of the late Chief Justice Melville Weston Fuller, and also \$1,500 to procure for the robing room of the Supreme Court of the United States an oil portrait of the late Chief Justice Melville Weston Fuller, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on the Library and ordered to be printed.

CLAIMS UNDER THE NAVY DEPARTMENT.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (S. 10668) to satisfy certain claims against the Government arising under the Navy Department, which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Claims.

TARIFF BOARD.

Mr. MONEY submitted an amendment intended to be proposed by him to the bill (H. R. 32010) to create a tariff board, which was referred to the Committee on Finance and ordered to be printed.

BLACK RIVER BRIDGE, MISSOURI.

Mr. STONE. I should like to ask unanimous consent to call up the bill (H. R. 30899) to authorize the Great Western Land Co., of Missouri, to construct a bridge across Black River.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SENATOR FROM ILLINOIS.

Mr. BEVERIDGE. Mr. President, I give notice that on Tuesday, after the conclusion of the remarks of the Senator from Ohio [Mr. BURTON], I shall submit some observations upon the pending election case. If it shall happen that the speech on Monday shall conclude in time I will speak on that day, but I give notice now that after the conclusion of the speech of the Senator from Ohio I shall submit remarks on Tuesday. Otherwise they will be submitted on Monday.

PUBLIC BUILDING AT DALLAS, TEX.

Mr. CULBERSON. I ask unanimous consent for the present consideration of the bill (S. 9556) to provide for the extension of the post-office and courthouse building at Dallas, Tex., and for other purposes.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the Secretary of the Treasury for the purpose of making suitable provision for the extension of the post-office and courthouse building at Dallas, Tex., to acquire, by purchase, condemnation, or otherwise, such additional land as he may deem necessary for the enlargement of the site of the building at a limit of cost of \$100,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

Mr. PERKINS. I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 213) authorizing the President to invite foreign countries to participate in the Panama-Pacific International Exposition in 1915 at San Francisco, Cal.

Mr. SWANSON. Mr. President, I wish to make a statement before the request of the Senator from California is submitted to the Senate. I do not wish to offer an objection to it at this time.

I had purposed to offer an amendment to the joint resolution providing for the exposition at San Francisco commemorating

the opening of the Panama Canal, but I understand from the senior Senator from California if my amendment should be adopted it would necessitate the joint resolution going back to the House, and possibly it might occasion some delay, as it might be referred to a committee. I have consented to make no objection to the present consideration of the joint resolution and not to offer my amendment at this time, being assured by the Senator from California and Senators who are cooperating with him that he has no objection to the amendment except on account of the delay and jeopardy it might occasion the measure at the present session, and that he will favor its going on the naval appropriation bill, which he thinks will be entirely satisfactory.

All I ask is that my amendment may be read; but I shall offer no objection to the consideration of the joint resolution.

The VICE PRESIDENT. Without objection, the amendment which the Senator from Virginia proposes to offer to the naval appropriation bill will be read.

The Secretary read as follows:

The President, in his invitation to the foreign nations, shall invite their representatives and their fleets to assemble at Hampton Roads, Va., and from thence come to the city of Washington, there to be formally welcomed by the President, and at the conclusion of the ceremonies at Washington the President is requested to proceed to Hampton Roads and there review the assembled fleets of the world as they start on their voyage to the city of San Francisco.

Mr. SWANSON. Mr. President, I wish to say in this connection, so that there may be no objection to the present consideration of the pending joint resolution, that I do not purpose to offer the amendment as an amendment to the joint resolution at this time. So I have no objection to its present consideration.

The VICE PRESIDENT. Is there objection to the request of the Senator from California [Mr. PERKINS] for the present consideration of the joint resolution?

Mr. CULBERSON. Mr. President, let the joint resolution be read.

The VICE PRESIDENT. The Secretary will read the joint resolution for the information of the Senate.

The joint resolution was read, as follows:

Resolved, etc., That whenever it shall be shown to the satisfaction of the President of the United States that a suitable site has been selected, and that the sum of not less than \$15,000,000 will be available to enable the Panama-Pacific International Exposition Co., a corporation organized and existing under and by virtue of the laws of the State of California, for the purpose of inaugurating, carrying forward, and holding an exposition at the city and county of San Francisco, Cal., on or about the 1st day of January, 1915, to celebrate the completion and opening of the Panama Canal, and also the four hundredth anniversary of the discovery of the Pacific Ocean, the President of the United States be, and he hereby is, authorized and respectfully requested, by proclamation or in such manner as he may deem proper, to invite all foreign countries and nations to such proposed exposition, with a request that they participate therein.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. PERKINS. Mr. President, I desire to present and have printed in the RECORD a report from the Committee on Industrial Expositions, submitted on the 9th instant by the Senator from Washington [Mr. JONES].

The VICE PRESIDENT. In the absence of objection, the report submitted by the Senator from California will be printed in the RECORD.

The report referred to is as follows:

[Senate Report No. 1133, Sixty-first Congress, third session, Feb. 9, 1911.—Ordered to be printed.]

PANAMA-PACIFIC INTERNATIONAL EXPOSITION.

Mr. JONES, from the Committee on Industrial Expositions, submitted the following report to accompany H. J. Res. 213:

The Committee on Industrial Expositions, to whom was referred the joint resolution (H. J. Res. 213) authorizing the President to invite foreign countries to participate in the Panama-Pacific International Exposition in 1915 at San Francisco, Cal., reports the same back to the Senate with a recommendation that it do pass.

The committee begs to state that full hearings were had upon the subject matter of this resolution. Advocates of the city of San Francisco as the location for an international exposition commemorating the opening of the Panama Canal appeared before the committee in support of the above resolution, and representatives from the city of New Orleans were also given an ample opportunity to be heard in opposition to the San Francisco resolution and in favor of a measure providing for the inauguration by the Government of the United States of an international exhibit of arts, industries, manufactures, etc., at New Orleans. The committee has concluded to report the San Francisco resolution with due regard and consideration of the reasons and arguments urged for holding the celebration at New Orleans. It appears that the people of California have contemplated, since 1904, the holding of an international exposition at San Francisco for the purpose of properly celebrating the completion of the Panama Canal and the four hundredth anniversary of the discovery of the Pacific Ocean; and during the last year they have raised the sum of \$17,500,000 for the purposes of such exposition. Of this vast amount \$5,000,000 is provided by a special tax levied upon all property in California, an additional \$5,000,000 through

the issuance of bonds by the city of San Francisco, and the balance of \$7,500,000 by popular subscriptions.

The people of California have thus initiated or created the exposition and have demonstrated their ability to carry it through to a successful conclusion and to make it the greatest exposition that the world has ever seen, without asking the Congress for an appropriation of any character, or directly or impliedly committing the United States Government to any liability or responsibility. They do not ask Congress to inaugurate the celebration, but simply request that an invitation be sent through the proper channels to all foreign nations and countries to participate in the exposition. The committee feels that if the Government were to inaugurate the exposition it would impliedly assume all financial responsibilities therefor. That has been the experience of the past, and since the city of San Francisco undertakes to hold and maintain this exposition without financial aid from the Government, we feel that the courage and enterprise of that city ought to receive the favorable consideration of the Congress, and your committee do not believe that the Government itself should inaugurate and carry on an exposition at this time.

Under this resolution the people of America will have the opportunity to enjoy all the pleasures, fruits, and benefits of an exposition given on a scale befitting the great event that it is intended to celebrate without one dollar of expense to the Government. Although San Francisco is farther removed from the center of population than the city of New Orleans, we believe from past experience that distance will not affect the attendance. The expositions at Portland and Seattle, although farther removed from the center of population, enjoyed a much larger attendance than those given at New Orleans and Jamestown; in fact, Seattle had a paid attendance of 207,000 more than the combined attendance at New Orleans and Jamestown. It is apparent that most people take their vacations during the summer months, and they are much more likely to travel to the Pacific coast, where the climate is cool and bracing during that season of the year, rather than to any southern point.

The committee has carefully considered the question of proximity to the canal, but it is our opinion that more people will see the canal if the exposition be held in San Francisco than if it were held at New Orleans, for a large number who will attend the exposition at San Francisco will take occasion to pass through the canal going or returning. One of the most cogent reasons for our recommending the passage of the San Francisco resolution is that which relates to the growing oriental trade. In recent years the commerce of the Orient has attracted world-wide attention, and all trade-seeking peoples are exerting every effort to obtain a greater share of that commerce. America ought to occupy first place in the trade with Asia. In 1909 the trade between Japan and America amounted to \$97,000,000; the entire world trade of Japan was \$415,000,000. In 1909 our trade with China amounted to \$48,000,000 out of a combined world trade of China amounting to \$432,000,000. The manufacturers and producers of America are looking to Asia for new markets to absorb our surplus products, and through our State Department commercial agents are being sent throughout Asia to enlarge our trade and commerce. Our trade with Europe and with the Latin Republics of the South will increase along natural and settled lines, but the great field for exploitation lies in the Orient, and we can not afford to permit any opportunity to pass by that will strengthen our position in those great opening markets. At San Francisco America and Asia can, with greatest ease and facility, exhibit articles intended for exchange, thereby stimulating the trade between the two countries and at the same time further cementing the ties of cordial friendship between America and the nations of the Far East.

In addition to the foregoing reasons why the exposition should be held at San Francisco we feel that a trip to the Pacific coast will be of immense educational value to the people of our country. Assurances have been given that a great reduction will be made in the railway fares and that opportunity will be offered for going and returning by different routes. Tens of thousands of our people will find in the exposition a justifiable inducement to make it a journey of continuous sight-seeing, and while upon the Pacific coast will be afforded rare opportunities of beholding the wonders of the West, its almost inexhaustible resources, and its boundless opportunities for development. Such a trip will be an exposition in itself and will be as profitable as a visit to the exposition grounds, where the products of the genius and skill of the earth will be displayed before their eyes.

In her ability to minister to the comfort, convenience, and pleasure of the throngs that will visit this exposition, San Francisco is unsurpassed; and her invitation to the people of the world to participate with her in this great celebration carries with it a safe assurance of courteous treatment and open-hearted hospitality.

We therefore recommend the passage of House joint resolution 213 without amendment.

Mr. PERKINS. Mr. President, on behalf of the people of the city of San Francisco and of the entire State of California, I take this occasion to express grateful acknowledgment to the people of the South and to our friends from Louisiana and Virginia for the generous and kindly spirit which has been manifested in this matter. From the very inception of the struggle between New Orleans and San Francisco for the honor of holding this great exposition every act on the part of our friends from the South has been characterized by a high regard for courtesy and fairness. They have now crowned this most enviable record by interposing no obstacle whatever to the passage of this joint resolution in the Senate, and we of California appreciate this to the utmost degree.

EMBASSY, LEGATION, AND CONSULAR BUILDINGS.

Mr. LODGE. Mr. President, I ask unanimous consent for the present consideration of the bill (H. R. 30888) providing for the purchase or erection, within certain limits of cost, of embassy, legation, and consular buildings abroad.

Mr. CLAPP. Mr. President, I shall have to object to the consideration of that bill.

Mr. LODGE. Then I move to take up the bill.

The VICE PRESIDENT. The Senator from Massachusetts moves the present consideration of the bill.

Mr. STONE. Mr. President, I see the Senator from Idaho [Mr. BORAH] is not present, and I should like to ask whether the motion of the Senator from Massachusetts would interfere with the unfinished business?

Mr. LODGE. Not in the least. The unfinished business does not come up until 2 o'clock.

Mr. STONE. With that understanding I shall not object.

The VICE PRESIDENT. The unfinished business will come up at 2 o'clock. The question is on the motion of the Senator from Massachusetts to proceed to the consideration of the bill named by him.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of State to acquire in foreign countries such sites and buildings as may be appropriated for by Congress for the use of the diplomatic and consular establishments of the United States, and to alter, repair, and furnish the buildings; suitable buildings for this purpose to be either purchased or erected, as to the Secretary of State may seem best, and all buildings so acquired for the Diplomatic Service shall be used both as the residences of diplomatic officials and for the offices of the diplomatic establishment; but not more than \$500,000 shall be expended in any fiscal year under the authorization herein made. It further provides that in submitting estimates of appropriation to the Secretary of the Treasury for transmission to the House of Representatives, the Secretary of State shall set forth a limit of cost for the acquisition of sites and buildings and for the construction, alteration, repair, and furnishing of buildings at each place in which the expenditure is proposed (which limit of cost shall not exceed \$150,000 at any one place) and shall not thereafter be exceeded in any case, except by new and express authorization of Congress.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAND IN CITY OF WASHINGTON.

Mr. SCOTT. I should like the present consideration of the bill (S. 10536) directing the Secretary of War to convey the outstanding legal title of the United States to lot No. 20, square No. 253, in the city of Washington, D. C.

In explanation of my request, I will say that this is a bill which the Attorney General desires passed in order to correct title to some land here in the District of Columbia. The Senator from Vermont [Mr. DILLINGHAM] has examined the bill and reported it favorably. It is very important that it should be passed at once.

Mr. SMOOT. I shall not object to the consideration of this bill, but at the conclusion of its consideration I shall ask for the regular order.

The VICE PRESIDENT. The Secretary will read the bill for the information of the Senate.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of War to grant to the present occupants of lot No. 20, square No. 253, a quit claim deed of the legal title of the United States to that lot, it having appeared that the United States has no interest herein or claim thereto other than a record title arising from a failure to comply with the requirements of the act of the Maryland Legislature of December 19, 1791, relative to the recording of deeds in the original city of Washington; but the occupants of the lot shall establish to the satisfaction of the Secretary of War their title to the premises, saving only the outstanding legal title of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

R. A. SISSON.

Mr. TILLMAN. I ask unanimous consent for the immediate consideration of the bill (H. R. 2556) for the relief of R. A. Sisson.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay \$88.48 to R. A. Sisson, lighthouse keeper of Bloody Point Range, Daufuskie Island, Beaufort County, S. C., for the loss and destruction of his property during the cyclone of 1893.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MEASURES PASSED OVER ON THE CALENDAR.

Mr. SMOOT. I ask for the regular order, Mr. President.

The VICE PRESIDENT. The regular order is the consideration of the calendar under Rule VIII. The Secretary will state the first bill on the calendar.

The bill (S. 3528) to reimburse depositors of the Freedman's Savings & Trust Co. was announced as first in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will be passed over.

The concurrent resolution (S. C. Res. 16) authorizing the Secretary of War to return to the State of Louisiana the original ordinance of secession that was adopted by the people of said State in convention assembled, etc., was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The resolution will go over.

The bill (H. R. 10584) providing for the adjustment of the claims of the States and Territories to lands within national forests was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

The bill (S. 8083) to provide for the handling of mail on which insufficient postage is prepaid, and for other purposes, was announced as next in order.

Mr. BURKETT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over, at the request of the Senator from Nebraska.

The bill (S. 7668) to grant certain lands to the city of Colorado Springs, the town of Manitou, and the town of Cascade, Colo., was announced as next in order.

Mr. KEAN. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill goes over.

DAM ACROSS ROCK RIVER AT LYNDON, ILL.

Mr. CULLOM. Mr. President, as there appears to be no bill on the calendar which the Senate desires to consider, I ask unanimous consent for the present consideration of the bill (H. R. 30571) permitting the building of a dam across Rock River at Lyndon, Ill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in section 1, on page 1, line 3, after the name "Smith," to insert "and," and in the same line, after the name "Green," to strike out "and John J. Hurlbert," so as to make the section read:

Be it enacted, etc., That Edward A. Smith and Harvey S. Green, of Morrison, Ill., their heirs, administrators, executors, successors, and assigns, are hereby authorized to construct, maintain, and operate a dam across Rock River at a point suitable to the interests of navigation at or near Lyndon, Whiteside County, Ill., the south end of said dam to be located near the line between sections 21 and 22 in township 20 north, range 5 east, fourth principal meridian, and the north end of said dam to intersect the bank of said river in section 21 in the same township, range, and meridian, and all works incident thereto in the utilization of the power thereby developed, in accordance with the provisions of the act approved June 23, 1910, entitled "An act to amend an act entitled 'An act to regulate the construction of dams across navigable waters,' approved June 21, 1906."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER.

The bill (S. 7180) authorizing the Secretary of War to return to the governor of Louisiana certain bonds of the State of Louisiana and the city of New Orleans was announced as next in order.

Mr. GUGGENHEIM. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over, at the request of the Senator from Colorado.

The bill (S. 7902) to promote the science and practice of forestry by the establishment of the Morton Institution of Agriculture and Forestry as a memorial to the late J. Sterling Morton, former Secretary of Agriculture, was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

The bill (S. 7648) to correct the military record of Charles J. Smith was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over at the request of the Senator from Utah.

The bill (S. 3719) for the appointment of a national commission for the conservation of natural resources, and defining its duties, was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

The bill (S. 8008) granting to Savanna Coal Co. the right to acquire additional acreage to its existing coal lease in the Choctaw Nation, Pittsburg County, Okla., and for other purposes, was announced as next in order.

Mr. KEAN. Mr. President, let that bill go over. The Senator from Texas [Mr. BAILEY] is not present. He is somewhat interested as to the description of the land.

The VICE PRESIDENT. The bill will go over at the request of the Senator from New Jersey.

The bill (H. R. 21481) to amend section 4916 of the Revised Statutes, relating to patents, was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

The resolution (S. Res. 257) to discharge the Committee on Privileges and Elections from further consideration of the joint resolution (S. J. Res. 41) proposing an amendment to the Constitution of the United States was announced as next in order.

Mr. KEAN. Let that go over.

The VICE PRESIDENT. The resolution will go over at the request of the Senator from New Jersey.

The bill (S. 7724) to provide for the payment of certain moneys advanced by the States of Virginia and Maryland to the United States Government to be applied toward erecting public buildings for the Federal Government in the District of Columbia, was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

The bill (H. R. 7117) to increase the efficiency of the Engineer Corps of the United States Army was announced as next in order.

Mr. KEAN. Let that go over, Mr. President. Similar provision has been made on an appropriation bill.

The VICE PRESIDENT. The bill will go over at the request of the Senator from New Jersey.

ADDITIONAL PROTECTION FOR OWNERS OF PATENTS.

The bill (S. 1745) to amend section 4919 of the Revised Statutes of the United States, to provide additional protection for owners of patents of the United States, and for other purposes, was announced as next in order.

Mr. KEAN. Mr. President, I have on my desk here a copy of the existing law on that subject, which is almost exactly in the wording of this bill. I therefore ask that the bill be indefinitely postponed.

The VICE PRESIDENT. Is there objection to the request that Senate bill 1745 be indefinitely postponed? The Chair hears none, and that order is made.

ELECTION OF SENATORS BY DIRECT VOTE.

The resolution (S. Res. 262) to discharge the Committee on the Judiciary from further consideration of the joint resolution (S. J. Res. 50) proposing an amendment to the Constitution respecting the election of United States Senators was announced as next in order.

Mr. CLARK of Wyoming. Mr. President, Senate resolution 262 being a resolution with a reference to a matter upon which the Judiciary Committee has acted, I ask that the resolution be indefinitely postponed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the resolution is indefinitely postponed.

BILLS PASSED OVER.

The bill (S. 6970) to codify, revise, and amend the postal laws of the United States was announced as next in order.

Mr. KEAN. Let that bill go over.

The VICE PRESIDENT. The bill will go over at the request of the Senator from New Jersey.

The bill (H. R. 11798) to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers, was announced as next in order.

Mr. KEAN. Let that bill go over, Mr. President. That is a special order for February 15.

The VICE PRESIDENT. The bill will go over.

The bill (H. R. 23000) to provide a civil government for Porto Rico, and for other purposes, was announced as next in order.

Mr. DEPEW. Let that bill go over, Mr. President.

The VICE PRESIDENT. The bill will go over.

The bill (S. 9935) authorizing a parcels-post service on rural routes, was announced as next in order.

Mr. BURNHAM. Let that bill go over for the present.

Mr. SMOOT. Let that bill go over until 2 o'clock.

The VICE PRESIDENT. The bill will go over.

EXPLORATION AND PROSPECTING PERMITS ON UNAPPROPRIATED LANDS.

The bill (S. 9011) to provide for the granting by the Secretary of the Interior of permits to explore and prospect for oil

and gas on unappropriated and withdrawn lands, was announced as next in order, and the Senate resumed its consideration.

The VICE PRESIDENT. The bill has heretofore been considered, when it reached the point of third reading. The question is on the third reading of the bill.

The bill was read the third time, and passed.

LIGHT AND FOG SIGNAL AT LINCOLN ROCK, ALASKA.

The bill (S. 10015) for rebuilding and improving the present light and fog signal at Lincoln Rock, Alaska, or for building another light and fog-signal station upon a different site near by, was considered as in Committee of the Whole. It proposes to appropriate \$25,000 for rebuilding and improving the present light and fog signal at Lincoln Rock, Alaska, or for building another light and fog-signal station upon a different site near by.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL AIDS TO NAVIGATION.

The bill (S. 10177) to authorize additional aids to navigation in the Lighthouse Establishment, and for other purposes, was announced as next in order.

The VICE PRESIDENT. The Chair has a memorandum that the Senator from Massachusetts [Mr. LODGE] asked that this bill be not disposed of in his absence, as he has an amendment which he desires to present to it.

Mr. SMOOT. I ask that the bill go over.

Mr. FRYE. The Senator from Maine has the amendment which the Senator from Massachusetts desires, and will offer it.

Mr. SMOOT. Then I withdraw the objection.

The VICE PRESIDENT. The request that the bill go over is withdrawn. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. FRYE. On page 2, line 12, after the word "on," I move to strike out "the south or southwesterly end of Castle" and to insert in lieu thereof the word "Governors."

The VICE PRESIDENT. The Secretary will state the amendment.

The SECRETARY. On page 2, line 12, after the word "on," it is proposed to strike out the words "the south or southwesterly end of Castle" and insert "Governors," so as to make the bill read:

Be it enacted, etc., That the Secretary of Commerce and Labor be, and he is hereby, authorized to establish and provide the following additional aids to navigation in the Lighthouse Establishment, under the Lighthouse Service, in accordance with the respective limits of cost respectively set forth, which shall in no case be exceeded.

To construct a power house and foundry and complete the equipment, wiring, etc., of the power plant at the general lighthouse depot, Staten Island, N. Y., at a cost not to exceed \$30,000.

To rebuild and improve the present light and fog signal station, or construct a new light and fog signal station, at Brandywine Shoal, Delaware Bay, Del., at a cost not to exceed \$75,000.

To rebuild and improve the Buffalo Breakwater North End Light Station, N. Y., at a cost not to exceed \$60,000.

To complete the lighting of the breakwater and piers at Superior Entry, Wis., at a cost not to exceed \$25,000.

To establish a lighthouse depot on the site belonging to the War Department on Governors Island, Boston Harbor, Mass., or on the site belonging to the Marine-Hospital Service, Treasury Department, on Chelsea Creek, Boston Harbor, Mass., and authority is hereby granted for the transfer of the site authorized from the proper department to the Department of Commerce and Labor.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LIGHTSHIP NEAR ORFORD REEF, OREG.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 10210) to direct the construction of a lightship and its maintenance near Orford Reef, off Cape Blanco, Oreg.

It proposes that the Secretary of Commerce and Labor be, and hereby is, authorized and directed to cause to be constructed and to establish and maintain a first-class, full-powered light vessel at or near Orford Reef, off Cape Blanco, Oreg., for which purpose there is appropriated \$150,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT AND FOG SIGNAL, SAN PEDRO, CAL.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 10011) for establishing a light and fog-signal station on the San Pedro Breakwater, Cal.

It appropriates \$36,000 for establishing a light and fog-signal station on the San Pedro Breakwater, Cal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES J. SMITH.

Mr. DU PONT. I ask unanimous consent that the bill (S. 7648) to correct the military record of Charles J. Smith, which was passed over, be now taken up.

Mr. SMOOT. The Senator from Delaware tells me that the objections that were raised to the bill have been withdrawn, and he desires its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that in the administration of the pension laws Charles J. Smith, who was a private, unassigned, Third New Jersey Volunteer Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Charles J. Smith."

PHOEBE CLARK.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 26529) for the relief of Phoebe Clark.

It proposes to pay to Phoebe Clark, of Helena, Mont., \$116, for a typewriter and necessary repairs thereon, furnished and used by her as transcribing clerk in the office of the United States surveyor general of the State of Montana, exclusively for Government work.

Mr. KEAN. Is there a report with the bill?

The VICE PRESIDENT. Yes; there is a report.

Mr. KEAN. I should like to hear it read.

The Secretary proceeded to read the report submitted by Mr. DAVIS January 17, 1911, which is as follows:

The Committee on Claims, to whom was referred the bill (H. R. 26529) for the relief of Phoebe Clark, having considered the same, report thereon with a recommendation that it do pass.

The affidavit of the claimant, the statement of W. J. MacHaffie, manager of the State Publishing Co., Helena, Mont., and the letter of the honorable the Secretary of the Interior, dated February 26, 1908, are herewith appended and made a part of this report.

STATE OF MONTANA,

County of Lewis and Clark, ss:

Phoebe Clark, transcribing clerk, office of the United States surveyor general for Montana, Helena, Mont., being duly sworn, deposes and says: That she is the person who bought a Remington typewriting machine, No. 5, which she used for nine consecutive years for Government work only; that she paid, herself, for repairs thereon, and who is now asking for reimbursement in the sum of \$116 therefor; and further, that the dates and amounts are positively correct.

PHOEBE CLARK.

Subscribed and sworn to before me this 1st day of January, 1908.

[SEAL.]

GUSTAVE STROBEL,

Notary Public in and for Lewis and Clark County.

HELENA, MONT., December 31, 1907.

Mr. MacHaffie, manager of the State Publishing Co., and agent for Remington typewriters in Helena, Mont., and who knows the present condition of the hereinbefore-mentioned machine, says: The machine is worn out; that the No. 5 (the number of my machine) is not manufactured any more; and that he would not take it in at any price, as they are unsalable.

I hereby certify that the above statement is true and correct.

W. J. MACHAFFIE,

Manager State Publishing Co.

DEPARTMENT OF THE INTERIOR,

Washington, February 26, 1908.

SIR: I have, by your reference for report, H. R. 11632, "for the relief of Phoebe Clark."

In reply you are advised that Phoebe Clark is, and has since 1894 been, a transcribing clerk in the office of United States surveyor general for Montana; that in 1894 a request was made for a typewriter for her official use, but owing to the lack of available funds it was not furnished. It appears that she purchased a typewriter at her own expense and continued to use it in that office in the discharge of her official duties until 1904, when, it being no longer suitable for use, a typewriter was furnished her by this department. Correspondence in this office shows that she paid \$100 for the typewriter purchased by her and subsequently expended about \$16 in necessary repairs.

It is customary for this department to furnish employees in the offices of surveyors general with typewriters for official use at all times when there are funds available for that purpose, and such employees are not expected or required to furnish their typewriters or to pay for necessary repairs on typewriters used by them.

These facts seem to warrant a favorable consideration of this bill, which proposes a reimbursement for money expended in the purchase and repairing of the typewriter.

Very respectfully,

JAMES RUDOLPH GARFIELD, Secretary.

Hon. J. M. MILLER,

Chairman Committee on Claims, House of Representatives.

Mr. KEAN. What I desired to find out is whether it is recommended by the department.

Mr. SMOOT. It is recommended by the department in a letter signed by the Secretary of the Interior, dated February 26, 1908.

Mr. KEAN. To my mind, this is rather a new departure.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HEIRS OF SAMUEL A. MUHLEMAN, DECEASED.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 865) for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased, which had been reported from the Committee on Claims with an amendment, in line 7, before the word "thousand," to strike out "five" and insert "one," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000, in full compensation for the death of Samuel A. Muhleman, on February 14, 1898, caused by injury received on the 9th day of June, 1893, while employed as a clerk in the Record and Pension Office, War Department, while located in Ford's Theater at the time of its collapse.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLARD W. ALT.

The bill (H. R. 17007) for the relief of Willard W. Alt was considered as in Committee of the Whole.

It proposes to pay to Willard W. Alt \$125 for resurvey of public lands in the State of Nebraska.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GOVERNMENT OF CANAL ZONE.

The bill (H. R. 12316) to provide for the government of the Canal Zone, the construction of the Panama Canal, and for other purposes, was announced as next in order.

Mr. BURTON and Mr. SIMMONS. I ask that the bill go over.

The VICE PRESIDENT. The bill goes over.

RITTENHOUSE MOORE.

The bill (S. 6550) for the relief of Rittenhouse Moore was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment on page 2, line 1, after the word "shown," to insert "and the said sum of \$3,650.05 is hereby appropriated for the purposes of this act," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rittenhouse Moore, the sum of \$3,650.05, being the amount stated and claimed by him as set forth in House Document No. 100, Fifty-eighth Congress, second session, for overwidth dredging in the Potomac River below Washington, D. C., and recommended by the Secretary of War, as therein shown, and the said sum of \$3,650.05 is hereby appropriated for the purposes of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT AND FOG SIGNAL, PORTAGE RIVER PIERHEAD, MICH.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 10257) establishing a light and fog-signal station at Portage River Pierhead, Mich.

It directs the Secretary of Commerce and Labor to establish a light and fog-signal station at Portage River Pierhead, Mich., at a cost not to exceed \$40,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT AND FOG SIGNAL, MICHIGAN ISLAND, LAKE SUPERIOR.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 10256) establishing a light and fog-signal station on Michigan Island, Lake Superior.

It directs the Secretary of Commerce and Labor to establish a light and fog-signal station on Michigan Island, Lake Superior, at a cost not to exceed \$100,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH B. EDDY.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 10141) to carry into effect the findings of the Court of Claims in the claim of Elizabeth B. Eddy.

The bill had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Elizabeth B. Eddy, widow of Charles G. Eddy, of New York, N. Y., the sum of \$602.92, and the said sum is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LAMONT STREET, DISTRICT OF COLUMBIA.

The bill (S. 9707) to authorize the extension of Lamont Street NW., in the District of Columbia, was announced as the next bill on the calendar.

Mr. KEAN. Let the bill go over.

The VICE PRESIDENT. It will go over.

Mr. KEAN. Let it go to the calendar under Rule IX.

Mr. FLETCHER. It is rather an important bill, and there are some improvements pending, waiting on the action on this bill.

Mr. KEAN. So I have been informed, and therefore I ask that it go over.

Mr. FLETCHER. That may be a very good reason in the Senator's mind, but it does not appeal to me.

The VICE PRESIDENT. Is there objection to transferring the bill to the calendar under Rule IX, as requested by the Senator from New Jersey?

Mr. JONES. I do not think it ought to go to the calendar under Rule IX.

The VICE PRESIDENT. The bill will go over.

ESTATE OF ANTONIA SOUSA, DECEASED.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1882) for the relief of the estate of Antonia Sousa, deceased.

It directs the Secretary of the Interior to pay, out of the naval pension fund, to the estate of Antonia Sousa, deceased, late a musician in the Marine Corps of the United States, \$19.50 per month from March 4, 1886, to April 27, 1892, both inclusive, being the amount of allotment granted to him by the Secretary of the Navy under section 4756, Revised Statutes of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 7355) authorizing the Winnebago Tribe of Indians to submit claims to the Court of Claims was announced as the next business on the calendar.

Mr. KEAN. Let the bill go over for the present. I should like to look at the report.

The VICE PRESIDENT. The bill will go over.

The bill (S. 9534) to amend an act entitled "An act to regulate the employment of child labor in the District of Columbia" was announced as next in order.

Mr. SMOOT. The Senator reporting the bill is not present; therefore I should like to have it go over, not that I object to the bill.

The VICE PRESIDENT. The bill will go over.

The bill (S. 10185) to provide for the appointment of a district judge in the northern and southern judicial districts in the State of Mississippi, and for other purposes, was announced as next in order.

Mr. NELSON. In the absence of the senior Senator from Mississippi I ask that the bill go over.

The VICE PRESIDENT. The bill will go over.

SANITARY WATER-STILL CO.

The bill (H. R. 25679) for the relief of the Sanitary Water-Still Co. was considered as in Committee of the Whole.

It proposes to pay to the Sanitary Water-Still Co., of New York, \$850, due the company on the sale of two evaporators to the Quartermaster General's Department, United States Army, for the Army transport *Logan*.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REFUND OF CERTAIN TAXES.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 9970) to provide for the refunding of certain moneys illegally assessed and collected in the district of Utah.

It appropriates to the corporations named the amounts respectively placed opposite their names, the amounts having been illegally assessed by the Commissioner of Internal Revenue and collected by the collector of internal revenue for the district of Utah in 1879 as a tax on notes used for circulation and paid out, such tax having been held illegal by the Supreme Court of the United States: Zion's Cooperative Mercantile Institution, of Bountiful, Utah, \$123.30; Logan Branch of Zion's Cooperative Mercantile Institution, of Logan, Utah, \$4,852.42.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES RIVER BRIDGES.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 26150) to authorize the cities of Boston and Cambridge, Mass., to construct drawless bridges across the Charles River, and requesting a conference with the Senate on the disagreeing vote of the two Houses thereon.

Mr. FRYE. I move that the Senate insist upon its amendment, agree to the conference asked for by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Vice President appointed Mr. DEFEW, Mr. PILES, and Mr. STONE the conferees on the part of the Senate.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Military Affairs:

H. R. 16268. An act for the relief of Thomas Seals; and

H. R. 30160. An act for the relief of John Lee, alias James Riley.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 32435. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors;

H. R. 32674. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; and

H. R. 32675. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War and to widows and dependent relatives of such soldiers and sailors.

SCHOONER "WALTER B. CHESTER."

The bill (H. R. 25074) for the relief of the owners of the schooner *Walter B. Chester* was announced as next in order.

Mr. KEAN. Is there a report with the bill?

The VICE PRESIDENT. There is a report, No. 1007.

Mr. KEAN. I understand that the amendment to the bill cures the defect that I thought was in it.

The VICE PRESIDENT. No amendment has been offered to the bill, unless it be in the report.

Mr. SMOOT. The full amount of the claim was \$10,501.75 and included the demurrage for 95 days, at \$50 a day. The demurrage was eliminated from the bill, and it carries, as I remember, something like \$5,000. That is the amount recommended.

The bill was considered as in Committee of the Whole. It proposes to pay to the owners of the American schooner *Walter B. Chester*, registered, of Wellfleet, Mass., their heirs and assigns, as determined by the United States Court of Claims, \$5,751.75, the same being the amount in part awarded said owners by the Court of Claims as damages on account of the U. S. warship *Vandalia* colliding with that schooner, as fully appears in the findings of the Court of Claims in congressional case No. 65, Deering, Donnell, and others against the United States, to which findings and the award made thereon reference is hereby had, which sum shall be in full settlement for all claims for said damages.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PUBLIC BUILDING AT LIVE OAK, FLA.

Mr. CULBERSON. From the Committee on Public Buildings and Grounds I report back favorably with an amendment the bill (S. 5420) to provide for a public building at Live Oak, Fla. I call the attention of the Senator from Florida [Mr. TALIAFERRO] to the matter.

Mr. TALIAFERRO. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment was, in line 10, before the word "thousand," to strike out "one hundred" and insert "seventy-five," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be erected on a suitable site in the city of Live Oak, Fla., a building, including fireproof vaults, heating and ventilating apparatus, and all necessary appointments and equipments, for the use and accommodation of the United States post office, the cost of said building and other equipments and appointments not to exceed the sum of \$75,000, which sum, or so much thereof as may be necessary, is hereby appropriated for said purpose out of any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM C. RICH.

The bill (H. R. 19747) for the relief of William C. Rich was considered as in Committee of the Whole. It provides that in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, William C. Rich shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of Company M, Eleventh Regiment Illinois Volunteer Cavalry, on the 20th day of April, 1864. But no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. KEAN. I should like to have the report accompanying the bill printed.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Mr. BROWN, from the Committee on Military Affairs, submitted the following report, to accompany H. R. 19747:

The Committee on Military Affairs, which has had under consideration the bill (H. R. 19747) for the relief of William C. Rich, hereby reports the same to the Senate favorably and without amendment and recommends its passage.

The records show that this soldier was enrolled at Peoria, Ill., on December 7, 1861, and mustered into the service on December 20, 1861; that he was reenlisted as a veteran on December 20, 1863. He received the customary veteran's furlough for 35 days from about March 6, 1864, never thereafter returning, and is marked as a deserter from about April 20, 1864.

The soldier alleges that while home on furlough he received an injury by being thrown from a buggy and was unable to return, and has furnished evidence to corroborate his allegations, but on account of the injury not being received in line of duty he is unable to get the charge of desertion removed by the general law, and your committee believe he should be given a pensionable status.

The evidence as to his injury is hereto appended as a part of this report:

STATE OF NEBRASKA, Douglas County, ss:

I, William C. Rich, of lawful age, being first duly sworn, depose and say that I enlisted as a soldier in the Civil War December 7, 1861, at Camp Lyon, Peoria, Ill., and was mustered into service December, 1861; that I reenlisted as a veteran December 26, 1863; that I was at home at Chillicothe, Ill., about the middle of March, 1864, and there received injuries by a runaway horse to such an extent that it was impossible for me to return to my command, and that for some time following said date I was in a very critical condition; that I received injuries to my spine, had one shoulder dislocated, two ribs broken, and my head badly lacerated, and that the war closed before I was able to return to service.

WILLIAM C. RICH.

Subscribed in my presence and sworn to before me this 2d day of February, A. D. 1909.

[SEAL.]

OSCAR W. JOHNSON, Notary Public.

STATE OF MISSOURI, Barton County, ss:

I, Henry Keller, being duly sworn, on oath depose and say that I am of lawful age and a resident of Golden City, Mo., and that I was a resident of Chillicothe, Ill., for several years during the War of the Rebellion, and was personally acquainted with Mr. William C. Rich when he enlisted in the service of the United States Army in December, 1861, and again reenlisted in the year 1863, and also for several years following; that some time in March, in the year 1864, the said William C. Rich returned home on furlough, and that during the period of his furlough the said William C. Rich was badly injured by a runaway horse and did not return to his command on account of said injury. The injury mentioned was the only cause, as affiant firmly believes, of the failure of the said William C. Rich to return to the Army.

Affiant also says that the said Rich and family were very respectable people and bore a good reputation.

Further affiant saith not.

HENRY KELLER.

Subscribed and sworn to before me this 30th day of November, 1907.

[SEAL.]

JOHN F. DUDEN, Notary Public.

My commission expires September 10, 1909.

STATE OF NEBRASKA, Douglas County, ss:

I, James D. Thompson, of lawful age, being first duly sworn, depose and say that I am, and in the year 1864 was, personally acquainted with William C. Rich; that I knew him in Chillicothe, Ill., in March, 1864, and that I know that at said place and in said month said William C. Rich met with an accident from a runaway horse from which he sustained serious injuries, so much so that his life was almost despaired of. I further know that said Rich was a soldier at that time, and that before he recovered the war was closed, and that he was incapacitated for service for a long time after the close of the Civil War.

JAS. D. THOMPSON.

Subscribed in my presence and sworn to before me this 2d day of February, A. D. 1909.

[SEAL.]

FREMONT BENJAMIN, Notary Public.

STATE OF NEBRASKA, Douglas County, ss:

G. A. Murphy, of lawful age, being first duly sworn, deposes and says that he was personally acquainted with William C. Rich, at Chillicothe, Ill., in the year 1864; that he saw said William C. Rich shortly after he was badly hurt by a runaway horse, and that he knows of his own personal knowledge that said Rich was in a very bad condition for a year or more after he was injured.

G. A. MURPHY.

Subscribed in my presence and sworn to before me this 16th day of August, A. D. 1905.

[SEAL.]

E. N. BOVELL, Notary Public.

ARMY, NAVY, AND MARINE CORPS.

The bill (S. 10275) relative to joint operations of the Army, Navy, and Marine Corps was considered as in Committee of the Whole. It provides that when forces or detachments of the Army and of the Navy and Marine Corps are engaged on shore in a common enterprise (not in the nature of a ceremonial or parade), and in the absence of specific authority from the President of the United States, the senior officer of the line of the Army in command of the Army detachment shall command the whole and have authority to issue such orders to the officers in command of the naval and marine detachments while on shore as may be necessary for the success of the enterprise engaged upon.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TENNESSEE RIVER BRIDGE AT CHATTANOOGA, TENN.

The bill (H. R. 31649) to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, Tenn., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment.

Mr. BURTON. As I read the bill, there is an amendment in it.

The VICE PRESIDENT. The calendar states that there is no amendment, and no amendment is indicated in the report.

Mr. BURTON. This bill for a bridge across the Tennessee River, at Chattanooga, in the seventh line, has an amendment "to insert at a point suitable to the interests of navigation." That is in accordance with the report from the Chief of Engineers.

The VICE PRESIDENT. Those words are in the bill, but not as an amendment.

Mr. BURTON. As the bill was printed, those words are printed in italics.

The VICE PRESIDENT. They are not in italics in the bill which the Secretary has at the desk.

Mr. SMOOT. If the Senator will look at the House bill, he will find that the bill as read conforms to the recommendations of the department.

The VICE PRESIDENT. It is a House bill.

Mr. BURTON. Very well.

The bill was ordered to a third reading, read the third time, and passed.

CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE.

The bill (S. 10491) to incorporate the Carnegie Endowment for International Peace was announced as next in order on the calendar.

Mr. JONES. I ask that the bill may go over.

Mr. ROOT. I hope the Senator will not insist upon his objection.

Mr. JONES. I will state to the Senator that I think possibly when I have had a little time to examine it we will be able to make an agreement so that he can bring his bill to a vote, so far as I am concerned, but I am not prepared now. Early next week the Senator can get the bill passed, so far as I am concerned, but he will save time by a postponement for the present. I could not consent to have it passed to-day.

Mr. ROOT. Well, Mr. President, I yield, but it is a bill which relates to a very great benefaction, to something which is greatly to the public interest and in the interest of the world. I hope the objection will not materially delay the consideration of the bill by the Senate.

Mr. GALLINGER. I suggest to the Senator from New York that I should likewise like to look into the bill a little. I have in charge a bill on the calendar which is somewhat similar, and it has been very seriously objected to on grounds I think that will bring this bill in the same category. However, I should like to examine it a little further before it is acted upon.

Mr. ROOT. Very well. I hope Senators will make such examination of the bill as is necessary to enable them to reach a conclusion upon it at an early day.

Mr. GALLINGER. I will do so, Mr. President.

The VICE PRESIDENT. The bill goes over.

NORTHERN PACIFIC RAILWAY LANDS.

The bill (S. 10105) to authorize the exchange of certain lands with the Northern Pacific Railway Co. was announced as next in order.

Mr. CULBERSON. Let the bill go over.

The VICE PRESIDENT. It will go over.

ALASKAN COAL LANDS.

The bill (S. 9955) to provide for the leasing of coal and coal lands in the Territory of Alaska was announced as next in order.

Mr. NELSON. Let the bill go over.

The VICE PRESIDENT. It will go over.

TENNESSEE RIVER BRIDGE AT CHATTANOOGA.

The bill (H. R. 31648) to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, Tenn., was announced as next in order.

Mr. CLARK of Wyoming. I notice that a bill of exactly the same title and reported on the same day from the same committee is Order of Business No. 948 (H. R. 31649), which has just been passed. I should like to know the difference.

The VICE PRESIDENT. Apparently it is a different location. The Chair observes that one is at Walnut Street and the other at West Sixth Street.

The bill was considered as in Committee of the Whole; and it was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MOBILE RIVER BRIDGE, ALABAMA.

The bill (S. 10410) to authorize the Pensacola, Mobile & New Orleans Railway Co., a corporation existing under the laws of the State of Alabama, to construct a bridge over and cross the Mobile River and its navigable channels on a line opposite the city of Mobile, Ala., was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, on page 1, line 7, after the word "channels," to insert the words "at a point suitable to the interests of navigation," so as to make the bill read:

Be it enacted, etc., That the Pensacola, Mobile & New Orleans Railway Co., a corporation existing under the laws of the State of Alabama, be, and is hereby, authorized to construct, operate, and maintain a bridge, and its approaches thereto, across the Mobile River and its navigable channels, at a point suitable to the interests of navigation, in the counties of Mobile and Baldwin, in the State of Alabama, on a line opposite the city of Mobile, to be approved by the Secretary of War, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, and repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HELEN S. HOGAN.

The bill (H. R. 25081) for the relief of Helen S. Hogan was announced as next in order.

Mr. SMOOT. Let the bill go over.

The PRESIDING OFFICER (Mr. CURTIS in the chair). The bill goes over.

Mr. KEAN subsequently said: I suggest to the Senator from Utah that in the case of House bill 25081, to which he objected, he misunderstood what the bill is. It is merely to allow a person to have a duplicate Government bond with interest upon it, and she gives security for it.

Mr. SMOOT. I withdraw my objection.

The bill was considered as in Committee of the Whole. It proposes to pay to Helen S. Hogan, of Woodford County, Ky., \$1,000, together with the legally accrued interest thereon from November 1, 1867, the said sum of \$1,000 being the face value of a certain United States Government bond belonging to the loan known as five-twenties of 1862, issued under the act of February 25, 1862. But before making such payment to the said

Helen S. Hogan she shall be required by the Secretary of the Treasury to execute a good, sufficient, and satisfactory bond of indemnity to the United States with the provision that in the event of the subsequent redemption of all three of the outstanding bonds of said loan, being coupon bonds for \$1,000 each, Nos. 67783 and 68668 of the second series and No. 21037 of the third series, five-twenties of 1862, act of February 26, 1862, the coupons of which, dated November 1, 1867, were the last coupons paid, she shall refund and pay into the United States Treasury the money so paid to her, and that she shall make the United States whole and free from any loss or liability incurred by reason of said payment to her.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMPLOYMENT OF LETTER CARRIERS.

The bill (H. R. 23314) to authorize the employment of letter carriers at certain post offices was considered as in Committee of the Whole. It provides that hereafter when two or more post offices situated within the corporate limits of any city, village, or borough are consolidated by authority of the Postmaster General, and the said offices together produced a gross revenue for the preceding fiscal year of not less than \$10,000, letter carriers may be employed for the free delivery of mail matter in like manner as if any one of said post offices had produced such revenue in said fiscal year.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FOG SIGNAL AT TRINIDAD HEAD LIGHT STATION, CAL.

The bill (S. 10025) for a fog signal and keeper's quarters at the Trinidad Head Light Station, Cal., was considered as in Committee of the Whole.

It proposes to appropriate \$20,000 for a fog signal and keeper's quarters at the Trinidad Head Light Station, Cal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHT AND FOG-SIGNAL STATION ON RICHARDSON'S ROCK, CAL.

The bill (S. 10023) for establishing a light and fog-signal station on Richardsons Rock, in the Santa Barbara Islands, Cal., was considered as in Committee of the Whole.

It proposes to appropriate \$140,000 for establishing a light and fog-signal station on Richardsons Rock, in the Santa Barbara Islands, Cal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AIDS TO NAVIGATION ON THE YUKON RIVER, ALASKA.

The bill (S. 10022) for establishing aids to navigation on the Yukon River, Alaska, was considered as in Committee of the Whole.

It proposes to appropriate \$11,400 for establishing aids to navigation on the Yukon River, Alaska.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MISSISSIPPI RIVER DAM AT SAUK RAPIDS, MINN.

Mr. NELSON. I ask unanimous consent to report back from the Committee on Commerce the bill (S. 10757) to amend an act entitled "An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.," approved February 26, 1904, and I submit a report (No. 1144) thereon. I ask for its present consideration. It is a very short bill.

The Secretary read the bill and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TEN EYCK DE WITT VEEDER.

Mr. GALLINGER. I ask unanimous consent to make a report from the Committee on Naval Affairs. I report back without amendment the bill (S. 10172) for the relief of Ten Eyck De Witt Veeder, commodore on the retired list of the United States Navy, and I submit a report (No. 1143) thereon. I call the attention of the senior Senator from Massachusetts [Mr. LODGE] to the bill.

Mr. LODGE. I ask for the present consideration of the bill. There being no objection, the bill was considered as in Committee of the Whole. It authorizes the President to appoint Ten Eyck De Witt Veeder, now a commodore on the retired list of the United States Navy, to the active list of captains of the

United States Navy, to take rank next after Capt. Charles Brainard Taylor Moore, United States Navy. But the said Ten Eyck De Witt Veeder shall be carried as additional to the number in the grade to which he may be appointed under this act or at any time thereafter promoted; and he shall not by the passage of this act be entitled to back pay of any kind.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIGHTHOUSE TENDER "WISTARIA."

The bill (H. R. 31661) to authorize the Secretary of Commerce and Labor to transfer the lighthouse tender *Wistaria* to the Secretary of the Treasury was considered as in Committee of the Whole.

It proposes that the Secretary of Commerce and Labor be, and he is hereby, authorized to transfer to the Secretary of the Treasury, for the use of the Public Health and Marine-Hospital Service, the lighthouse tender *Wistaria*, which vessel is no longer needed in connection with the work of the Lighthouse Service.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MEDICAL SOCIETY OF THE DISTRICT OF COLUMBIA.

Mr. TILLMAN. I should like to have called up and passed Senate bill 9241.

Mr. SMOOT. We will reach that bill in a very little while in regular order, I will say to the Senator.

Mr. TILLMAN. It is the bill (S. 9241) to amend an act entitled "An act to revive, with amendments, an act to incorporate the Medical Society of the District of Columbia," approved July 7, 1838. I hope the Senator will allow me to get through with it.

Mr. SMOOT. Very well.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

POINT FERMIN LIGHT STATION, CAL.

The bill (S. 10008) for a flashing light to replace the fixed light now at the Point Fermin Light Station, Cal., was considered as in Committee of the Whole.

It proposes to appropriate \$4,000 for a flashing light to replace the fixed light now at the Point Fermin Light Station, Cal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SANTA BARBARA LIGHT STATION, CAL.

The bill (S. 10017) for a flashing light, a fog signal, and a keeper's dwelling at the Santa Barbara Light Station, Cal., was considered as in Committee of the Whole. It proposes to appropriate \$20,000 for a flashing light, a fog signal, and a keeper's dwelling at Santa Barbara Light Station, Cal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FOG SIGNAL AT FORT POINT LIGHT STATION, CAL.

The bill (S. 10010) for the substitution of a first-class fog signal to replace the present Daboll trumpet at the Fort Point Light Station, Cal., was considered as in Committee of the Whole. It proposes to appropriate \$11,000 for the substitution of a first-class fog signal to replace the present Daboll trumpet at the Fort Point Light Station, Cal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WACCAMAW RIVER BRIDGES, SOUTH CAROLINA.

Mr. SMITH of South Carolina. I ask unanimous consent for the present consideration of the bill (H. R. 29715) to extend the time for commencing and completing bridges and approaches thereto across the Waccamaw River, S. C.

Mr. SCOTT. I object. Let us proceed with the calendar. We have all got little bills on the calendar in which we are interested. I myself am sitting here waiting for two to be reached. We shall get to the Senator's bill in a few moments.

BEACON LIGHTS, ETC., ON PUGET SOUND, WASH.

The bill (S. 10012) for the establishment of acetylene-gas beacon lights, lighted buoys, and fog signals at or near Point Herron, Point Glover, Apple Cove Point, Bush Point, Point Partridge, and the improvement of the lights and fog signals at Marrowstone Point and Slip Point, Puget Sound, Wash.,

was considered as in Committee of the Whole. It proposes to appropriate \$41,600 for the establishment of acetylene-gas beacon lights, lighted buoys, and fog signals at or near Point Herron, Point Glover, Apple Cove Point, Bush Point, Point Partridge, and the improvement of the lights and fog signals at Marrowstone Point and Slip Point, Puget Sound, Wash.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (S. 6754) for the relief of the Alabama Great Southern Railroad Co. was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

The bill (S. 730) for the relief of the several States under the act of July 8, 1898, and acts amendatory thereto, was announced as next in order.

Mr. SMOOT. Let that bill go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

LINCOLN C. ANDREWS.

The bill (S. 9954) for the relief of Lincoln C. Andrews was considered as in Committee of the Whole. It proposes to pay to Lincoln C. Andrews, captain, Fifteenth Cavalry, United States Army, \$150 for the loss of his horse by the Quartermaster's Department at Santiago, Cuba, in 1898.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF LAMONT STREET.

Mr. SCOTT. Mr. President, I should like to ask the Senator from New Jersey [Mr. KEAN], for I was out of the Senate at the time, why he asked to have the bill (S. 9707) to authorize the extension of Lamont Street NW., in the District of Columbia, passed over? That is a very important bill, and it has been considered by a subcommittee of the Committee on the District of Columbia, which has examined conditions at that point. Unless the bill shall be passed, people will build across the end of the street, and at some time the Government will have to pay a large sum to have the street opened.

Mr. KEAN. Mr. President, I have had several letters and communications in regard to that bill, which I did not happen to have in my desk when it came up. I therefore asked to have it go over until I could look into the matter.

Mr. SCOTT. I would ask the Senator from Florida [Mr. FLETCHER], who was on the subcommittee, if he will not make a statement, and possibly the Senator from New Jersey will then allow the bill to be acted upon.

Mr. KEAN. I think we had better go on with the regular order.

Mr. SCOTT. This is part of the regular order.

The PRESIDING OFFICER. Objection is made. The next bill on the calendar will be stated.

FIRE ESCAPES IN THE DISTRICT.

The bill (S. 6582) to amend an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," approved March 19, 1906, was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with amendments, on page 1, line 6, after the date "1906," to insert "as amended by act of Congress approved March 2, 1907;" on page 2, line 10, after the word "extend," to strike out the words "to or;" in line 11, after the word "with," to insert "ventilating;" in the same line, after the word "skylight," to strike out "window, doors, or other means of ventilating;" line 12, after the word "buildings," to strike out "except stores and warehouses;" in line 15, after the word "escapes," to insert "and;" and line 16, after the word "signs," to strike out "lights, and alarm gongs" and to insert "when the stairways, elevator shafts, and means of egress are reasonably safe, in the judgment of the Commissioners of the District of Columbia," so as to make the bill read:

Be it enacted, etc., That section 5 of an act entitled "An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes," approved March 19, 1906, as amended by act of Congress approved March 2, 1907, be, and the same is hereby amended to read as follows:

"Sec. 5. That each elevator shaft and stairway extending to the basement of the buildings heretofore mentioned shall terminate in a fireproof compartment or inclosure separating the elevator shaft and stairs from other parts of the basement, and no opening shall be made or maintained in such compartment or inclosure unless the same be provided with self-closing fireproof doors; and that such elevator shaft shall extend above the roof and shall terminate with ventilating skylight; that such buildings as are defined under the building regulations of the District of Columbia to be fireproof are exempted from the requirements of this act as to fire escapes and guide signs when the stairways, elevator shafts, and means of egress are reasonably safe, in the judgment of the Commissioners of the District of Columbia."

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend an act entitled 'An act to require the erection of fire escapes in certain buildings in the District of Columbia, and for other purposes,' approved March 19, 1906, as amended by act of Congress approved March 2, 1907."

DISTRICT POLICE AND FIREMEN'S RELIEF FUND.

The bill (S. 288) for the creation of the police and firemen's relief fund, to provide for the retirement of members of the police and fire departments, to establish a method of procedure for such retirement, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment was, in section 1, page 2, line 3, after the word "member," to insert "or members," and in line 6, after the word "department," to strike out "\$1 per month to be deducted from the pay" and insert "a deduction of 1½ per cent of the monthly salary," so as to make the section read:

That from and after the passage of this act the funds designated by law as the "police fund," the "police fund," and the "firemen's relief fund" shall be designated as the "police and firemen's relief fund, District of Columbia," and the said fund shall consist of all fines imposed by the Commissioners of the District of Columbia upon members of the police and fire departments by way of discipline; all rewards, proceeds of gifts, and emoluments that may be received by any member of said departments for extraordinary services, except such as may be allowed to be retained by such member or members on the approval of the said commissioners; all net receipts and moneys arising from the sale of unclaimed property in the custody of the property clerk of the police department; a deduction of 1½ per cent of the monthly salary of each member of the police and fire departments; and all fines and forfeitures paid into the police court of the District of Columbia, all of which shall be collected by the collector of taxes of the District of Columbia and be by him deposited in the Treasury of the United States, in the manner provided by law, to the credit of the trust fund denominated "police and firemen's relief fund, District of Columbia," and be held subject to the drafts of the Commissioners of the District of Columbia for the purposes hereinafter set forth; all expenditures to be made according to law and to be accounted for in the manner provided by law: *Provided*, That should the police and firemen's relief fund at any time be insufficient to defray the expenditures hereinafter mentioned, then, and in that event, the Commissioners of the District of Columbia are authorized, and they shall direct, the collector of taxes of said District to deposit, and said collector shall thereupon deposit, in the Treasury of the United States, to the credit of said fund, out of receipts from all licenses other than liquor licenses, a sufficient amount to meet any deficiency in said fund.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 21, after the word "department," to strike out "not to exceed one-half of the annual salary to which he was entitled at the time of such discharge" and insert "as follows: Chief engineer, a sum not to exceed \$150 per month; deputy chief engineer, a sum not to exceed \$125 per month; battalion chief, fire marshal, and superintendent of machinery, a sum not to exceed \$100 per month; deputy fire marshals and captains, a sum not to exceed \$90 per month; lieutenants, a sum not to exceed \$75 per month; assistant superintendent of machinery, a sum not to exceed \$60 per month; engineers and drivers, a sum not to exceed \$55 per month; assistant engineers and assistant drivers, a sum not to exceed \$52.50 per month; inspectors and privates, a sum not to exceed \$50 per month;" on page 4, line 20, after the word "in," to strike out "either case" and insert "any case of the police and fire departments;" and in line 25, after the word "department," to insert "before or after retirement," so as to make the section read:

SEC. 3. That should any officer or member of the police or fire department become so permanently disabled through injury or disease contracted in the line of duty, or, having served not less than 15 years, shall, for any cause, become so permanently disabled as to be discharged from the service therefor, he shall be entitled to relief from the said fund in an amount, in the case of an officer or member of the fire department, as follows: Chief engineer, a sum not to exceed \$150 per month; deputy chief engineer, a sum not to exceed \$125 per month; battalion chief, fire marshal, and superintendent of machinery, a sum not to exceed \$100 per month; deputy fire marshals and captains, a sum not to exceed \$90 per month; lieutenants, a sum not to exceed \$75 per month; assistant superintendent of machinery, a sum not to exceed \$60 per month; engineers and drivers, a sum not to exceed \$55 per month; assistant engineers and assistant drivers, a sum not to exceed \$52.50 per month; inspectors and privates, a sum not to exceed \$50 per month; and in the case of an officer or member of the police department, as follows:

Major and superintendent, a sum not to exceed \$150 per month; inspector and assistant superintendent, a sum not to exceed \$125 per month; inspector, a sum not to exceed \$100 per month; captain, a sum not to exceed \$90 per month; lieutenant, a sum not to exceed \$75 per month; sergeant, a sum not to exceed \$60 per month; private, a sum not to exceed \$50 per month, as may be justified, in any case of the police and fire departments, by the length of service and the nature of the injury or disease, as such disability may be determined by the retiring board hereinafter provided for; that in case of the death of any officer or member of the police or fire department before or after

retirement from injury or disease contracted in the line of duty, leaving a widow, or children under 16 years of age, or a dependent father or mother, or both, such widow or such relative shall be entitled to a pension to be paid from the said relief fund, the amount thereof to be determined by the retiring board hereinafter provided for: *Provided*, That in no case shall the amount paid to any one family exceed the sum of \$50 per month, and that upon the remarriage of any widow her pension under this act shall immediately cease, and that any pension to or for her children under 16 years of age shall cease upon their attaining such age.

The amendment was agreed to.

The next amendment was, in section 4, page 5, line 14, after the word "service," to insert "therein," and in line 15, after the word "five," to strike out "consecutive," so as to make the section read:

Sec. 4. That any officer or member of the police or fire department of the District of Columbia who may have performed police or fire service therein for a period of 25 years shall be entitled to retirement from such department and to a pension to be paid from the said police and firemen's relief fund in an amount not to exceed that provided by section 3 of this act, as may be determined by the retiring board.

The amendment was agreed to.

The next amendment was, in section 6, page 6, line 23, after the word "pension," to insert "or allowance," so as to read:

The said retiring board shall give notice to any applicant for relief or pension to be present before it and give any evidence that he may desire, and the proceedings of the said board shall be reduced to writing and shall show the date of appointment of the officer or member under inquiry, his age, his record in the service, and any other information that may be pertinent to the matter of pension or allowance, and shall show what amount, if any, is awarded the applicant by way of relief or pension.

The amendment was agreed to.

The next amendment was, in section 7, page 7, at the beginning of the section, to strike out "That where allowances are made as hereinbefore provided, the same shall be permanent and not subject to discontinuance or reduction" and insert "That within 60 days following the 1st day of July, 1911, and every two years thereafter, the commissioners may cause any person or persons receiving an allowance from the police and firemen's relief fund to undergo such medical or other examination as in the judgment of the commissioners may be necessary to enable them to determine whether the pension in such case or cases shall be increased or reduced; and the commissioners are hereby authorized to increase or reduce the allowance of pensioners as the result of such examination: *Provided, however*, That should a pensioner fail or refuse to undergo the examination prescribed by the commissioners, the allowance of such pensioner may be reduced or entirely discontinued by the commissioners."

Mr. GALLINGER. Mr. President, some years ago I had occasion to incorporate a provision of this kind in a bill, and I think the word "may," in line 14, should be "shall," so that this and the examination once in two years will be obligatory. I move that amendment to the amendment of the committee.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to amend the committee amendment on page 7, line 14, before the word "cause," by striking out the word "may" and inserting the word "shall."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 8, line 5, before the word "board," to strike out "said" and insert "retiring," so as to read:

Provided, however, That the commissioners may discontinue any relief or pension upon duly certified information from a court of record that any person so pensioned or retired has been guilty of any crime involving moral turpitude or where any such person is found by the retiring board, after notice and trial, to be an habitual drunkard or guilty of lewd or lascivious conduct.

The amendment was agreed to.

The next amendment was, in section 8, page 8, line 13, after the word "such," to strike out "discharged or;" and in line 19, after the word "board," to insert "without compensation therefor," so as to make the section read:

Sec. 8. That any such retired officer or member of the police or fire department in time of flood, riot, great fires, during extraordinary assemblages or unusual emergencies, may be called by the head of the respective department into the service of the District police or fire force for such duty as his disabilities will permit of his performing, as ascertained and certified by the retiring board, without compensation therefor.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISTRICT HIGHWAY SYSTEM.

The bill (H. R. 20375) to authorize certain changes in the permanent system of highways, District of Columbia, was considered as in Committee of the Whole. It authorizes the Commissioners of the District of Columbia to prepare a new high-

way plan for that triangular portion of the District of Columbia lying north of Rittenhouse Street, west of Thirty-third Street, and southeast of the District line, under the provisions contained in the act of Congress approved March 2, 1893, entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," and an amendment to that act approved June 28, 1898; and upon the completion and recording of the new highway plan it shall take the place of and stand for any previous plan for that portion of the District of Columbia.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXTENSION OF THIRTEENTH STREET, DISTRICT OF COLUMBIA.

The bill (H. R. 22688) to authorize the extension of Thirteenth Street NW. from its present terminus north of Madison Street to Piney Branch Road was considered as in Committee of the Whole.

Mr. BURTON. I should like to make an inquiry in regard to that bill. There is rather a singular provision in it, which reads:

Provided, however, That the entire amount found to be due and awarded by the jury in said proceeding as damages, for and in respect of the land to be condemned for said extension, plus the costs and expenses of said proceeding, shall be assessed by the jury as benefits.

Does that mean that the District Commissioners are instructed to go through the form of condemnation and assess back the cost upon the owners whose lands they condemn?

Mr. GALLINGER. It means, I think, just that. We frequently provide in bills for the opening of streets that a percentage shall be assessed as benefits, and in certain cases, where the commissioners are of opinion that adjoining land will be very greatly benefited, there is no limit as to the direction in which they may assess benefits, except that the property shall be in the vicinity of the street. We have followed their recommendation in this case to assess the entire amount. In several instances that has been done without objection. I do not know whether it is good policy or not, but it is the policy recommended by the commissioners, who investigate these matters and who practically control them, except as we legislate giving them the authority.

Mr. BURTON. I should like to ask whether any hearing was granted upon that bill, and if there was objection made to it.

Mr. GALLINGER. There was not any objection. Those of us who are connected with matters relating to the District of Columbia know that if there is objection to any bill—and bills affecting the District are always carefully examined by the citizens—we hear from those interested, and hearings are demanded in many cases. We always give hearings where they are requested. I do not think any objection was urged to the matter. I do not remember any.

Mr. BURTON. That is, the Senator from New Hampshire states that no objection, so far as he recalls, was made to the bill?

Mr. GALLINGER. So far as I can recall. If there had been, the objectors would certainly have had an opportunity to appear before the subcommittee and present their case.

Mr. BURTON. I called attention to it because it seems like a very singular provision. We might as well pass a bill to take the land at once, without going through all this circumlocution in regard to it.

Mr. SCOTT. As chairman of the subcommittee, I may say there was no application made to me for any hearing in regard to the matter.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COMMODORE BARNEY CIRCLE.

The bill (S. 8645) to confirm the name of Commodore Barney Circle for the circle located at the eastern end of Pennsylvania Avenue SE., in the District of Columbia, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IRVING STREET, DISTRICT OF COLUMBIA.

The bill (S. 9239) to change the name of Fort Drive from Seventeenth to Eighteenth Streets NE. to Irving Street was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with an amendment in line 6, after the word "Fort," to strike out "Drive" and insert "Place;" so as to make the bill read:

Be it enacted, etc., That the name of the street lying in the county of Washington, D. C., in the tract of land known as Sherwood's addition to Brookland, running from Seventeenth to Eighteenth Streets,

and now called Fort Place, be, and the same shall henceforth be, known as Irving Street. And the Commissioners of the District of Columbia are hereby directed to cause the name of Irving Street, from Seventeenth to Eighteenth Streets NE., to be placed upon the plats and maps of the District of Columbia.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to change the name of Fort Place, from Seventeenth to Eighteenth Streets NE., to Irving Street."

TRADE-MARKS.

The bill (H. R. 24749) revising and amending the statutes relative to trade-marks was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXCHANGE OF LANDS BY THE RECLAMATION SERVICE.

The bill (S. 6878) to authorize the acquisition of lands by the Reclamation Service by exchange, and for other purposes, was considered as in Committee of the Whole.

Mr. KEAN. I should like to ask the Senator from Oregon to explain the bill. It seems to be all right, but I think it is an important bill.

Mr. CHAMBERLAIN. It frequently happens that in the construction of these irrigation plants it becomes necessary for the Reclamation Service to acquire private holdings, and they are compelled frequently to pay exorbitant prices for those lands. It has been ascertained that in many cases where individuals own lands that are necessary for reservoir sites the Reclamation Service can exchange lands within the irrigation project for these holdings, and do it at a large saving to the Government.

The bill has been considered very carefully by the Committee on Irrigation, and they were unanimous in reporting it favorably.

Mr. GALLINGER. It is under the jurisdiction of the Secretary of the Interior? That is the change?

Mr. CHAMBERLAIN. Yes; it is under the jurisdiction of the Secretary of the Interior.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROFESSOR OF MATHEMATICS, UNITED STATES NAVY.

The bill (S. 10342) providing for the appointment of an additional professor of mathematics in the Navy was announced as next in order.

Mr. KEAN. Let the bill go over.

The PRESIDING OFFICER. The bill is passed over.

REPRESENTATIVES OF WILLIAM M. WIGHTMAN, DECEASED.

The bill (H. R. 24123) for the relief of the legal representatives of William M. Wightman, deceased, was considered as in Committee of the Whole. It proposes to pay to the legal representatives of William M. Wightman, deceased, \$3,220.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. GALLINGER. I move to strike out the preamble.

The motion was agreed to.

PENNSYLVANIA ENGINEER CO., PHILADELPHIA, PA.

The bill (H. R. 23888) for the relief of the Pennsylvania Engineer Co., of the city of Philadelphia, was announced as next in order on the calendar.

Mr. SMOOT. Is there a report on the bill? I do not see it on the file.

The PRESIDING OFFICER. There is no report.

Mr. SMOOT. Let it go over.

The PRESIDING OFFICER. The bill goes over.

EVAN M. JOHNSON.

The PRESIDING OFFICER laid before the Senate the following concurrent resolution (H. Con. Res. 59) from the House of Representatives, which was read:

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 14729) for the relief of Capt. Evan M. Johnson, United States Army, the enrolling clerk of the House is hereby authorized and directed to strike out of line 10 of the engrossed bill the words "March 24, 1902," and insert in lieu thereof the words "May 16, 1899," the latter being the date of the sinking of the transport Meade, mentioned in the bill in question.

Mr. BULKELEY. I ask the Senate to concur in the resolution.

The concurrent resolution was considered by unanimous consent and agreed to.

JOHN G. STAUFFER & SON.

The bill (H. R. 1883) for the relief of John G. Stauffer & Son was considered as in Committee of the Whole.

It proposes to pay \$50 to John G. Stauffer & Son, of Master-sonville, Pa., for damages done to their property during target practice by certain batteries of field artillery at Mount Gretna, Pa., during the month of October, 1904.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DENISON COAL CO.

Mr. BAILEY. I ask unanimous consent for the present consideration of the bill (S. 8008) granting to Savanna Coal Co. right to acquire additional acreage to its existing coal lease in the Choctaw Nation, Pittsburg County, Okla., and for other purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. BAILEY. That subject matter was disposed of by placing it as an amendment on a general bill. At the same time and in the same connection I secured an amendment covering a similar case for some of my constituents, but I used at that time a bill which had been introduced in the House, and it afterwards transpired that the metes and bounds as fixed in that bill were not accurate. That mistake has been corrected by the honorable gentleman who represents that district, and I intend to offer as a substitute for the bill on the calendar the House bill, which simply corrects the mistake we made when the Senate, on my motion, passed the other bill.

I offer as a substitute for the bill on the calendar the following, which I send to the desk.

The PRESIDING OFFICER. The Secretary will report the substitute.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and hereby is, authorized to permit the Denison Coal Co. to relinquish certain lands embraced in its existing Choctaw and Chickasaw coal lease which have been demonstrated to be not valuable for coal, as follows: The south half of the north half and south half of section 36, township 1 north, range 9 east; and north half of section 1, township 1 south, range 9 east; and the northwest quarter of section 6, township 1 south, range 10 east of the Indian meridian, containing in all 960 acres of land, more or less, and to include within the lease in lieu thereof the following described land, which is within the segregated coal area and unleased: The southwest quarter of southeast quarter of section 30; northeast quarter of section 31; north half of southeast quarter of section 31; southwest quarter of southwest quarter of section 28; northeast quarter of northeast quarter of section 29; south half of northeast quarter of section 29 and south half of section 29; southeast quarter of southeast quarter of section 30; northwest quarter of northeast quarter of section 32; southwest quarter of northwest quarter of section 32; north half of northwest quarter of section 32; all in township 1 north, range 10 east, of the Indian base and meridian, containing in all 960 acres.

The PRESIDING OFFICER. Does the Senator from Texas propose this as an amendment, or does he propose to substitute it for the Senate bill?

Mr. BAILEY. I move to strike out all after the enacting clause and insert this. Then, of course, it will be necessary to make a corresponding amendment to the title of the bill.

I want to say that this matter is a little complicated, because the property is located in another State, which, under ordinary circumstances, I should not assume to legislate about, but the parties interested are constituents of my own. I have conferred with both of the Senators from the State of Oklahoma, and neither of them has any objection to this bill.

Mr. GALLINGER. I will ask the Senator if the text of the bill as read from the desk is a bill passed by the House?

Mr. BAILEY. No; but it is a bill introduced into the House.

Mr. GALLINGER. Oh!

Mr. BAILEY. But the same subject matter has passed both Houses of Congress.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Texas.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read, "A bill authorizing the Secretary of the Interior to permit the Denison Coal Co. to relinquish certain lands embraced in its existing Choctaw and Chickasaw coal lease, and for other purposes."

ELECTION OF SENATORS BY DIRECT VOTE.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A joint resolution (S. J. Res. 134) proposing an amendment to the Constitution providing that Senators shall be elected by the people of the several States.

Mr. BROWN. Unless some Senator desires to speak on the joint resolution, I ask that it be laid temporarily aside.

The PRESIDING OFFICER. The Senator from Nebraska asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none, and it is so ordered.

Mr. BROWN. At this time I desire to give notice that with the indulgence of the Senate I will speak on this joint resolution immediately after the routine morning business on Wednesday next.

Mr. KEAN. I think the Senator from Nebraska had better examine the unanimous-consent agreement before he gives that notice.

Mr. BRANDEGEE subsequently said: The Senator from Nebraska a few minutes ago gave notice of his intention to address the Senate on another matter on the 15th than the business assigned for that day. I do not suppose that could be done even by unanimous consent, there being a unanimous-consent agreement already on the calendar for the same time. I did not want it to appear in the Record without the statement that I think the matter assigned for the 15th of February will take that entire day.

The PRESIDING OFFICER. It is a special order?

Mr. BRANDEGEE. It is a unanimous-consent agreement adopted at the last session.

Mr. SMOOT. I just heard the Senator from Nebraska say that no doubt before the day closes he would change the notice. He is out of the Chamber now. I rather think he will change the notice before the day is over.

The PRESIDING OFFICER. The Senator from Nebraska would be compelled to take his chances on that day at any rate.

THE CALENDAR.

Mr. CULBERSON. I see a number of Senators on their feet, and they have risen probably to ask for the consideration of measures. I have waited over an hour to reach the very next bill on the calendar, and I insist on the regular order, at least for the present.

Mr. GALLINGER, Mr. SMOTT, and others. Regular order!

The PRESIDING OFFICER. The calendar will be proceeded with.

PUBLIC BUILDING AT HOUSTON, TEX.

The bill (S. 10189) to amend an act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes, was announced as next in order on the calendar, and it was considered as in Committee of the Whole. It proposes to repeal the last proviso of section 20, chapter 3916, Thirty-fourth United States Statutes at Large, "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes," which proviso reads as follows:

Provided further, That upon the completion of the building herein authorized to be constructed, the Secretary of the Treasury shall proceed by due and proper advertisement, and under such regulations, conditions, and stipulations as he may prescribe, or as Congress may hereafter direct, to sell to the highest bidder the present building and site upon which it is located, in Houston, Tex., now owned by the United States Government and now used and occupied as a post office, courthouse, customhouse, and for other governmental purposes, and deposit the proceeds thereof into the Treasury of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT GRAFTON, W. VA.

The bill (S. 9123) to increase the limit of cost for the erection of the United States post-office building at Grafton, W. Va., was considered as in Committee of the Whole. It proposes to increase from \$135,000 to \$170,000 the limit of cost for the erection of the United States post-office building at Grafton, W. Va., provided for in section 3 of "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," approved June 25, 1910.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT SISTERSVILLE, W. VA.

The bill (S. 9124) to increase the limit of cost for the erection of the United States post-office building at Sistersville, W. Va., was considered as in Committee of the Whole. It proposes to increase from \$60,000 to \$75,000 the limit of cost for the erection of the United States post-office building at Sistersville, W. Va., provided for in section 3 of "An act to increase the limit of cost of certain public buildings, to authorize the enlargement, extension, remodeling, or improvement of certain public buildings, to authorize the erection and completion of public buildings, to authorize the purchase of sites for public buildings, and for other purposes," approved June 25, 1910.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT LANCASTER, KY.

The bill (S. 5036) for the erection of a public building at Lancaster, Ky., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with amendments, on page 1, line 4, after the word "to," to strike out the words "acquire, by purchase, condemnation, or otherwise, a site and;" in line 5, after the word "erected," to strike out the word "thereon" and insert "upon the site already selected, as provided by act approved June 25, 1910, in the city of Lancaster, Ky.;" on page 2, line 1, before the word "building," to strike out the words "site and;" and in the same line, before the word "thousand," to strike out "seventy-five" and insert "forty-five," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be erected upon the site already selected, as provided by act approved June 25, 1910, in the city of Lancaster, Ky., a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, approaches, and other necessary appurtenances, for the use and accommodation of the United States as a post office and other governmental purposes, at Lancaster, Ky., the cost of said building not to exceed the sum of \$45,000, which sum is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PARK IN WASHINGTON, D. C.

The bill (S. 6645) for the establishment of a park at the junction of Maryland Avenue, Fifteenth Street, and H Street NE., Washington, D. C., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SQUARE NO. 857, WASHINGTON, D. C.

The joint resolution (S. J. Res. 82) directing that a portion of square No. 857, in the city of Washington, D. C., be reserved for use as an avenue and improved, was considered as in Committee of the Whole.

The resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LAND-OFFICE REGISTERS.

The bill (H. R. 6043) for the relief of registers and former registers of the United States land offices was announced as next in order.

Mr. KEAN. Let the bill go over.

The PRESIDING OFFICER. The bill will go over.

OLIVA J. BAKER.

The bill (H. R. 6776) for the relief of Oliva J. Baker, widow of Julian G. Baker, late quartermaster, United States Navy, was considered as in Committee of the Whole. It proposes to pay to Oliva J. Baker, widow of Julian G. Baker, late quartermaster, United States Navy, \$1,022. The widow shall receive one-half, and the children shall share and share alike in one-half. But no agent, attorney, firm of attorneys, or other persons engaged heretofore, or hereafter, in preparing, presenting, or prosecuting any claim above referred to shall, directly or indirectly, demand, receive, or retain for such services in preparing, presenting, or prosecuting such claim, or for any service or act whatsoever in connection of such claim, a sum greater than 5 per cent of the amount of such claim, and any person who shall violate the above provisions shall be guilty of a misdemeanor and upon conviction thereof shall be fined not to exceed \$500.

or be imprisoned not exceeding one year, or both, in the discretion of the court.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SHERMAN COUNTY SETTLERS, OREGON.

The bill (S. 4678) to adjust the claims of certain settlers of Sherman County, Oreg., was announced as next in order.

Mr. KEAN. I ask the Senator from Oregon if he has any idea as to the amount of money required under the bill?

Mr. BOURNE. It is stated in the bill, \$250,000.

Mr. CULLOM. Is it a House bill or a Senate bill?

Mr. BOURNE. It is a Senate bill.

Mr. KEAN. Let the bill go over.

The PRESIDING OFFICER. The bill goes over, on the objection of the Senator from New Jersey.

Mr. CHAMBERLAIN subsequently said: I hope the Senator from New Jersey will withdraw his objection to the consideration of Senate bill 4678. If the Senator will examine the report which is attached to the bill he will find that a bill of similar import has once passed the Senate, and, besides, it is recommended by the Secretary of the Interior. It is for the purpose of repaying men who through the erroneous action of the Secretary of the Interior lost their homes in Sherman County. It has been pending a long time, and the claim has been carefully investigated by the Committee on Claims. I hope the Senator will withdraw his objection.

The PRESIDING OFFICER. Is there objection to returning to the bill?

Mr. KEAN. I have no objection to going back to it.

The PRESIDING OFFICER. The bill will be read.

The bill was read and considered as in Committee of the Whole.

Mr. KEAN. I think the bill requires more of an explanation than has been given.

Mr. CHAMBERLAIN. It could hardly be more fully explained than it is explained in the report of the committee and in the letter of the Secretary of the Interior which is attached to and made a part of the report.

Mr. KEAN. Let the report be read.

The PRESIDING OFFICER. The Secretary will read the report.

The Secretary proceeded to read the report submitted by Mr. BRADLEY on the 7th instant, as follows:

The Committee on Claims, to which was referred the bill (S. 4678) to adjust the claims of certain settlers in Sherman County, Oreg., having had the same under consideration, begs leave to report the bill back with the recommendation that it do pass with the following amendment:

In line 13, page 1, change "February 6" to read "February 26."

This is merely the correction of a clerical error and in no way changes the effect of the bill.

This bill provides for the appropriation of certain sums of money to certain settlers named in a report by Special Agent Thomas B. Neuhausen, of the Department of the Interior, which report was transmitted to Congress December 6, 1904, by Secretary of the Interior E. A. Hitchcock and published as House Document No. 36, Fifty-eighth Congress, third session.

Concerning this report the present Secretary of the Interior says, in a letter hereto attached, that the investigation conducted by Special Agent Neuhausen was exhaustive, that the department accepts the facts as developed in the investigation, and that the facts so ascertained may be safely made the basis for such further relief as Congress deems proper to extend.

The claims of these settlers are based upon the erroneous action of the Secretary of the Interior, as set forth at length in the report above mentioned and summarized in the letter from the Secretary of the Interior R. A. Ballinger, hereto attached. The basis of their claims is essentially the same as that of what were known as the Des Moines River settlers, for whose relief an appropriation was made by Congress in the act of August 18, 1894 (28 Stat., 396).

Believing that the precedent established in the case of the Des Moines River settlers is in accordance with justice and equity, we recommend that similar relief be extended to the Sherman County, Oreg., settlers, and hence recommend the passage of this bill.

The letter from Secretary of the Interior R. A. Ballinger, above referred to, is as follows—

Mr. KEAN. I suggest that the last paragraph of the letter of the Secretary of the Interior be read to show the great warmth with which he recommends the bill.

Mr. BOURNE. Mr. President, if the Senator will permit me—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Oregon?

Mr. KEAN. Certainly.

Mr. BOURNE. I will give a history of this case:

In 1864 the United States made a grant of lands to the Northern Pacific Railroad Co. in aid of the construction of a railroad (13 Stat. L., 365). A portion of the lands covered by this grant were in Sherman County, Oreg.

Three years later, in 1867, the United States made a grant of lands to the State of Oregon in aid of the construction of a military wagon road (14 Stat. L., 409), and this grant was

conveyed by the State to The Dalles Military Wagon Road Co. These two grants overlapped in Sherman County, Oreg.

The Northern Pacific Co. did not build the line, as contemplated, through Sherman County, and, in 1890, Congress passed an act declaring the grant forfeited in certain portions, including that portion known as the overlap (26 Stat., 496).

This forfeiture having been declared, the Department of the Interior declared the lands open to entry, holding that the grant in aid of a military wagon road never attached to that portion of the land included in the overlap. The settlers, whose claims are now before Congress, went upon the lands, built homes, improved their property, and complied generally with the homestead laws.

Litigation between settlers and the Eastern Oregon Land Co., successor to the Wagon Road Co., ensued, and after years of uncertainty the United States Supreme Court decided in favor of the grant (176 U. S., 51 and 58).

These settlers, who had relied upon the order of the Secretary of the Interior restoring these lands to entry, were therefore either ousted entirely, or compelled to protect themselves by purchasing title from the land company. Their claim is based upon the fact that they were misled by the action of the Department of the Interior in declaring these lands subject to entry.

Those are the facts relative to it.

Mr. KEAN. I ask to have read the last paragraph of the letter of the Secretary of the Interior.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

In submitting these reports the department made no recommendation, and as the entire record, which appeared to contain all the information necessary to enable Congress to determine the measure of relief which should be extended, is before Congress, I am not in a position to make any specific recommendations. I deem it proper to add, however, that the department accepts the facts as developed in the investigation heretofore made and reported to Congress, and believes the same to be more dependable than data gathered through an investigation at this time. It follows that any further investigation could only result in expense both to the Government and the claimants. For these reasons it is suggested that the facts heretofore ascertained may be safely made the basis for such further relief as Congress deems proper to extend.

Very respectfully,

THE COMMITTEE ON CLAIMS,
United States Senate.

R. A. BALLINGER, Secretary.

The PRESIDING OFFICER. The amendment of the Committee on Claims will be stated.

The SECRETARY. On page 2, line 6, after the word "February," strike out "sixth" and insert "twenty-sixth."

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BERING RIVER BRIDGES, ALASKA.

The bill (S. 9864) to authorize the Controller Railway & Navigation Co. to construct two bridges across the Bering River, in the Territory of Alaska, and for other purposes, was announced as next in order.

Mr. JONES. Let the bill go over.

The PRESIDING OFFICER. The bill goes over.

BRIDGE ACROSS RED RIVER OF THE NORTH.

The bill (H. R. 30793) to authorize the Fargo & Moorhead Street Railway Co. to construct a bridge across the Red River of the North was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSISSIPPI RIVER BRIDGE.

The bill (H. R. 31927) authorizing the town of Blackberry to construct a bridge across the Mississippi River in Itasca County, Minn., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WACCAMAW RIVER BRIDGES, SOUTH CAROLINA.

The bill (H. R. 29715) to extend the time for commencing and completing bridges and approaches thereto across the Waccamaw River, S. C., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MONONGAHELA RIVER BRIDGE, PENNSYLVANIA.

The bill (H. R. 31171) to amend an act entitled "An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Liberty Bridge Co.,"

approved March 2, 1907, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INDIAN ALLOTMENTS.

Mr. JONES. I shall have to leave the Chamber in a little while and I ask that Senate bill 10530, Order of Business No. 1055, be passed over if it is reached.

SURG. I. W. KITE.

The bill (S. 8608) to authorize the President of the United States to place upon the retired list of the United States Navy Surg. I. W. Kite, with the rank of medical inspector, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 6, after the word "Kite," to insert the following proviso:

Provided, That the said I. W. Kite shall not, by the passage of this act, be entitled to any pay or allowances.

So as to make the bill read:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to place upon the retired list of the United States Navy, with the rank of medical inspector, the name of Surg. I. W. Kite: *Provided*, That the said I. W. Kite shall not, by the passage of this act, be entitled to any pay or allowances.

Mr. GALLINGER. In the amendment the word "back" should be inserted after the word "any" and before "pay," so as to read "any back pay or allowances." I move that amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. WALSH.

The bill (S. 9271) for the relief of William H. Walsh was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with an amendment, on page 1, line 8, after the word "grade," to insert the following proviso:

Provided, That the said William H. Walsh shall not, by the passage of this act, be entitled to back pay or allowances.

So as to make the bill read:

Be it enacted, etc., That the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, appoint William H. Walsh, midshipman, United States Navy, an ensign in the United States Navy, and place him upon the retired list as such with three-quarters pay of his grade: *Provided*, That the said William H. Walsh shall not, by the passage of this act, be entitled to back pay or allowances.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LANDS AT BUFFALO, WYO.

The bill (H. R. 30727) providing for the sale of certain lands to the city of Buffalo, Wyo., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TARIFF BOARD.

The bill (H. R. 32010) to create a tariff board was announced as next in order.

Mr. GALLINGER. Let that go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

FORT BRIDGER MILITARY RESERVATION LANDS.

The bill (H. R. 23827) extending the provisions of section 4 of the act of August 18, 1894, and acts amendatory thereto, to the Fort Bridger abandoned military reservation in Wyoming was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES E. MILLER.

The bill (H. R. 25234) authorizing the issuance of a patent to certain lands to Charles E. Miller was considered as in Committee of the Whole. It directs the Secretary of the Interior to issue a patent to Charles E. Miller, for the benefit of his grantees and their successors, for the land embraced in his homestead entry, serial No. 0287, Lander, Wyo., according to description to be determined by special survey or otherwise, as the Secretary of the Interior may find necessary, corresponding as nearly as possible to the entry as made, upon the payment of

all reclamation charges against such lands and the usual commissions and also the cost of survey, if any.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RESURVEY OF LANDS IN WYOMING.

The bill (S. 10208) authorizing the resurvey of certain lands in the State of Wyoming was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands with amendments, on page 1, line 8, after the word "four," to strike out "and," and in the same line, after the word "five," to insert the words "and six," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be made, in the manner now provided by law for the survey and resurvey of public lands, and from time to time, as may be necessary, a resurvey of the following-described lands: Sections 1, 2, 3, 4, 5, and 6, in townships 12 north, ranges 62 and 63 west, sixth principal meridian, all in the State of Wyoming; and all rules and regulations of the Interior Department requiring petitions from all settlers in said townships asking for resurvey and agreements to abide by the results of same, so far as any of these lands are concerned, are hereby abrogated: *Provided*, That nothing herein contained shall be so construed as to impair the present bona fide claim of any actual occupant of any of said lands so occupied: *And provided further*, That before any survey is ordered under this act it shall be made to appear to the Secretary of the Interior that the former official survey of said lands is so inaccurate or obliterated as to make it necessary to resurvey the lands, and only such parts of lands described herein where the survey is so inaccurate or obliterated shall be resurveyed.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MEMORIAL ADDRESSES ON THE LATE SENATOR STEPHEN B. ELKINS.

The PRESIDING OFFICER. The hour of half past 2 having arrived, the special order of the Senate will be taken up.

Mr. SCOTT. Mr. President, in pursuance of the notice that I gave on January 23, I offer the resolutions which I send to the desk and ask for their adoption.

The PRESIDING OFFICER. The Secretary will read the resolutions submitted by the Senator from West Virginia.

The resolutions (S. Res. 346) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of Hon. STEPHEN B. ELKINS, late a Senator from the State of West Virginia.

Resolved, That as a mark of respect to the memory of the deceased the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased Senator.

Mr. SCOTT. Mr. President, to-day the Senate pays its last tribute of respect to the memory of my late colleague, STEPHEN BENTON ELKINS. Words of praise spoken here fall short of being adequate to measure our affection for the one who has passed on or the loss his countrymen feel, for a mighty man has passed away; a great leader is no longer with us; a tall cedar has fallen. While our lips pay him this acknowledgment of remembrance, we know that his deeds live after him and that he can not soon be forgotten.

Why does the Nation mourn? Why does the State of West Virginia feel that she has suffered a loss that can not be measured? Because a man wise in counsel, strong in action, a doer of great deeds, a builder up of wildernesses, a constructive man, a power in the market and in the forum, a lovable, genial companion, has passed from our mortal sight forever. It is to bear testimony to these qualities—the qualities which made the man—that we are here to-day. As his colleague and his friend, it becomes my duty to try to give some estimate of the man and his worth to our Nation, as well as to the State he so faithfully represented.

Perhaps no Member of the United States Senate was more widely known and respected than he. The qualities which make up American manhood were found to the full in him, for the qualities which tend to the upbuilding of a republic found him a channel through which to act. His upbringing was similar to that of thousands of young Americans. Reared on a farm in Ohio, his thirst for education took him through college at the head of his class, and the spirit which has built up first the eastern and then the western sections of our great Republic started him on his career. The great war between the States was on, and notwithstanding the fact that his father and family felt it their duty to cast their sympathy with the Confederate States Mr. ELKINS was forced by his convictions to cast his lot with the Union. A short but creditable

career in the Army found him at the end of that great conflict on the threshold of manhood—the future all before him. The Middle West being settled, the golden Southwest tempted him, and New Mexico became his home.

Determined to succeed in his chosen profession, the law, he found it necessary, on taking up his residence in New Mexico, to learn the Spanish language. Just starting his career in a strange land this fact did not daunt him, and in less than a year he possessed a fluency in this tongue which aided materially in advancing his influence and popularity. Though a success in the law, yet political life was to him alluring. The close contact with men who were doing things, who were leading, was most enticing, and it is not strange that he was soon a member of the Territorial legislature and commenced that political career which was to be so full and complete. In a few years he was made attorney general of the Territory; two years afterwards United States district attorney, and a few years afterwards he was chosen to Congress, where he served two terms in the House of Representatives, and made a name and a reputation for himself. Even in the early seventies, while a member of the House, he introduced a bill for the statehood of New Mexico, which passed the House by over a two-thirds vote, passed the Senate with an amendment, and only failed to become a law because of lack of time to take it up again in the House. During these years of the practice of his profession and his first introduction into politics he did not, however, lose sight of the business opportunities which presented themselves. So successful was he along these lines that at the expiration of his term in Congress he was able to commence the great work of development which associated him with the State of West Virginia, and led eventually to his becoming a power in the business as well as in the councils of the Nation.

At that time the great riches of the State which he so long represented in the upper branch of Congress were but little known to the outside world. It is true that stories almost as fantastic as fairy dreams were told of the great wealth lying undeveloped in the hills of West Virginia. A large portion of the State was almost a wilderness, traversed only by a few country roads and sparsely inhabited by a home-loving, liberty-seeking people. To develop this wilderness required capital, energy, and business enterprise of no mean degree. To this task Mr. ELKINS, in company with his distinguished father-in-law, ex-Senator Henry G. Davis, a most noted citizen of our State, dedicated his life. The result in the years that followed more than justified his judgment. The wilderness was made to bloom and blossom; railroads were built, mines were opened up, towns were erected, and nowhere in this broad land of ours can happier, more contented, more enterprising communities be found than among these mountains and hills which he helped to bring in touch with civilization. Following the line of his railroads came schoolhouses, churches, and colleges, and to-day located within the confines of the once wilderness are an educated and God-fearing people.

I first met Mr. ELKINS in the campaign of 1884, when he was striving to have James G. Blaine elected President of the United States. He was then, as I have always known him since, an aggressive, energetic, wide-awake, alert man, and was much interested in the election of Mr. Blaine. They were warm personal friends and had been associated in business. It was a great disappointment to Mr. ELKINS when it was finally decided that Mr. Blaine was defeated. Smilingly he accepted the result, but he always held that several thousand votes in New York should have been counted for him which were counted for another candidate. This election ended Mr. ELKINS's active participation in politics until he became thoroughly a citizen of West Virginia and commenced to help build up in our State the Republican Party, in whose principles he thoroughly believed.

In the year 1888 I was again thrown closely with him in the nomination and election of Mr. Harrison. Mr. ELKINS, with the assistance of several other prominent politicians and friends of Mr. Harrison, perhaps did more to give him the nomination than any other man in the United States. From this period on my personal acquaintance with Mr. ELKINS became closer and closer, and as the years went by I esteemed more highly his friendship. During these years he was a power in West Virginia. His genial, sunny disposition made him friends on every side. His poise of mind, his great intellect, helped him to hold his friends, made him a leader of leaders and eventually led in 1894, when West Virginia became Republican for the first time in almost a generation, to his being the Republican candidate for United States Senator. The legislature selected him and Mr. ELKINS then became the first Republican Member of the United States Senate in many years from the so-called solid South.

The history of these years, leading up to his election and reelection to the Senate, is a part of the history of the development and wealth of our Nation, and especially of our State. It is impossible to attempt, even in the briefest manner, to estimate the influence of Mr. ELKINS without referring to the material development of the large section of country in which he was interested. He was a great captain of industry, and as such became known and respected everywhere. To him and his associates is due directly the building of four railroad lines through different sections of West Virginia—lines that total about 500 miles and are now feeders to great through systems. When one remembers that these roads were built over mountains, across deep ravines, through an undeveloped and virgin country, it can readily be seen that great judgment was necessary and a great faculty for the management and control of men. These faculties he possessed to a high degree and they bound him to the laboring man, the merchant, and the capitalist. He always endeavored to establish confidence and harmony between employer and employee and personally his political enemies loved him as much as his political friends. The improvements to the rivers of West Virginia have been largely due to his influence; changes in railroads stand to his farsightedness, and there has been no material advancement of far-reaching importance in our mountain State for the past 25 years in which he has not had a part. A thriving city on the top of one of the Allegheny Mountains bears his name; a college directly honors his memory, and from the north to the south and the east to the west of our State his memory is closely bound in achievements of all kinds.

Politically, Mr. ELKINS was a Republican. He believed in the principles of that party. He studied with the eye of a student the progress of the protective principle; he saw that it built up and did not destroy; that it was constructive and not destructive; that it made happier the poor man and gave him greater advantages; and to the development of this principle he devoted his time and his energy. He believed in progress and did his best to bring to the markets of the world the undeveloped wealth of one State. He believed that the principles of the party to which he belonged aided in his doing this and he was broad enough to stand for its extension to every other State of the Union. He believed this party right, and he fearlessly stood for what he thought was true.

The career of Mr. ELKINS was laid in troublesome times. With him it was a struggle, a fight, from beginning to end. Struggling for an education, taking part in the great Civil War, conquering a foreign language, wresting supremacy from the hands of nature, fighting for political principles that he thought right—these occupied his attention to the end. But Mr. ELKINS was constituted to enjoy these struggles, in the larger sense, and to him the overcoming of a difficulty was a pleasure and a pride. In the latter years of his life his wonderful personality, his commanding genius, his whole-souled geniality served him in the contests with his political foes without and within his own party. Perhaps one of the deepest regrets of his life was the fact that he was unable to take an active part in the late campaign in our own State. Smiling, he fought until he could fight no more.

Mr. ELKINS was a scholar, and in his books he found rest from the strife of the outside world. He loved his classics, and his Latin or Greek he could read with ease at any time. A great student of the Bible, he found solace and comfort there. Full of humor, he could find something to smile at most anywhere and was ready and apt with quotation or simile.

As an illustration both of his love of books and his power of comparison, I may be permitted to relate an anecdote. During one of our heated party fights, after a State convention which bade fair to split in two our party and over which he had presided, at a great expense of vital force, he returned to his home at Elkins. For several weeks the opposing press and some of the papers of his own political faith bitterly upbraided him for his rulings in the convention, for his "bossism," and for the ruination he was bringing on his party. After these vituperations had traveled from one end of the State to the other, a visitor to his hospitable home found him sitting in his library reading and smiling. In answer to an inquiry, he turned to his visitor and said:

I have been comforting myself reading the Book of Job; but I don't think Job was in it with me.

His career in the Senate is well known. In his early service, assigned to important committees, he became a painstaking student of all legislative questions coming before this body. With a well-stored mind, a fund of information seldom excelled, he was a ready debater, and gradually won his way to the front. After 16 years of service in this body he was the peer of anyone, unexcelled by none.

Important legislation bears his name. His influence was felt in all directions. Sure of his position, he could meet with a smile the attacks of those who differed from him on matters at issue, but never lost himself. It was largely due to his geniality, his grasp of details, his power of comprehension, his unfailing courtesy, that the great railroad measure which passed this body at the last session became a law. As a legislator none in this body will say me nay when I cry that a great man in the councils of the United States Senate has gone from us.

That such a character should attract to it other great natures was inevitable. So it is not strange that Mr. ELKINS numbered among his warm and personal friends some of the greatest names in the history of our country in the last half of the nineteenth century. Stretching from the time of Lincoln to that of Taft, what an opportunity was his of thoroughly enjoying the friendship of the men who have been shaping the financial and political destinies of our country. Intimately associated with Mr. Blaine, he undoubtedly would have occupied a prominent position in the latter's political family had he become President of the United States. His close friendship to Mr. Harrison led to his selection by that President as Secretary of War, and in this important position his constructive genius had full sway and its effects are still felt. Connected by business ties with the greatest financiers of our age, he possessed their personal esteem and confidence. A Presbyterian in religious convictions, he could yet enjoy the close friendship of the cardinal of the Church of Rome. Intensely American in every fiber of his nature, he was on loving terms of friendship with the distinguished men of foreign nations who have represented their Governments at this capital for the past quarter of a century. To his competitors along business lines he was courteous and friendly, and he numbered among his close followers and friends in his own State all of his largest business opponents. To the humblest West Virginian he was always accessible and greeted him with the same kindly interest with which he met a diplomat, a prelate of the church, or a great financier.

It is no wonder, then, that around his bier stood men whose names will live in history; that loving tributes to his memory and to his kindly heart came from all around the world. It is no wonder that the newspapers of this broad land of ours, those impartial judges of men, carried to all Americans the news of his passing on and their judgment of his work and worth. It is no wonder that in his own State, from every town and hamlet, from every city, expressions of regret and affection came pouring in, and our large dailies were filled with such utterances almost to the exclusion of all other matter. It is no wonder that on that bright January day, when his mortal remains were lowered to rest in a beautiful cemetery in the city he founded, the Army flag flew at half-mast nearly all around the world, that his home city was one sorrowing community, that his State paid its tribute of respect and the Nation its word of farewell. It is no wonder that the governor of our State later appointed his son as his successor in the Senate, a closing tribute to the love and respect borne Mr. ELKINS.

Born September 26, 1841, he passed from our sight January 4, 1911. The wonder is that so much could have been crowded into a life of less than 70 years—farmer's boy, soldier, lawyer, legislator, Member of Congress, Cabinet officer, United States Senator, and a great captain of industry.

Life's struggle over, his mortal remains rest forever on the West Virginia hills, whitened by the snow of winter and carpeted by the flowers of spring. But he still lives in his great works, his kindness of heart, his purity of character, and his love for his country and his fellow man. Not soon will he be forgotten.

Mr. GALLINGER. Mr. President, it was my privilege to serve for nearly 17 years in this body with the late Senator from West Virginia, whose death we all keenly deplore, and whose splendid achievements, in public and private life, will serve as an inspiration to those of us who knew and admired him. Service with him on three of the important committees of the Senate—Appropriations, Commerce, and Printing—covering a long period of years, gave me unusual opportunities to become acquainted with the qualities of heart and mind of Senator ELKINS. His remarkable career, from boyhood days to the zenith of his power and influence, has been graphically told by the Senator from West Virginia [Mr. SCOTT]. For me it is sufficient to offer a simple tribute of affection to his memory.

It is safe to say that few men have served in the Senate who have been more popular or universally esteemed than Senator ELKINS. The morning after his death, in the course of an appreciative review of his life, the Washington Post truthfully said:

He was a man who made friends on every hand, who drew and held them to him, regardless of political affiliation, religious creed, or racial characteristics. Of him it may be said he was without an enemy. He was the apostle of sunshine, the embodiment of good cheer, the inveterate foe of pessimism, a supreme optimist, who saw only the best in everyone and refused to believe that which was not good. It was impossible for him to harbor a grudge, and if ever this sincere and big-hearted man gave offense in the heat of debate or political discussion, he was quick to retract and heal the wound before it began to hurt.

What higher tribute could be paid to any man than that? The man who makes and holds friends, whose very presence dispels gloom, and whose cheery smile and warm handclasp make his associates forget the little animosities, trials, and burdens of life; such a man is an evangel of peace and love and happiness, and such a man was our late associate.

Senator ELKINS was not an orator, but he possessed powers infinitely more potent than that of oratory. He was an indefatigable worker, and knew the art of approaching and dealing with men. He carried through the Senate measures of great importance to the American people, and in the stirring debates over the bills that he had in charge the success he achieved was largely due to his imperturbable good nature, his courteous treatment of his opponents, and his dogged determination to accomplish results. In the statutes of his country are written monuments of his broad-mindedness, his intense patriotism, his devotion to the public weal, and his independence of thought and action. He was an honest and successful legislator, a shrewd politician, and a high-minded public servant, whose record will grow brighter and brighter as the years come and go.

Mr. President, what more need be said? In my 20 years' service here death has invaded the senatorial circle many, many times. Four honored Senators alone remain of those who greeted me when I entered this Chamber. The list of those who have departed is a long and honorable one. Memory recalls the names, and tender thoughts touch the heart as we summon them before us. But they are gone, and we remain a little longer, to bear the burdens and the cares from which they have escaped. Among them all there was no more genial and lovable soul than the late Senator from West Virginia. He was so strong, so full of energy, and so hopeful for the future that his death came to us all as a peculiar shock. When he left the Senate, a notable figure passed from our view. His seat here is vacant, but his memory will be cherished and his virtues remembered by those of us who admired his character and valued his friendship. In the death of Senator ELKINS this body, the State that honored him, and the Nation which he served so well have sustained an irreparable loss.

Mr. DEPEW. Mr. President, at no time in its history has death in so short a period removed from the Senate so many of its Members. DANIEL of Virginia, ELKINS of West Virginia, DOLLIVER of Iowa, CLAY of Georgia, MCENERY of Louisiana, and HUGHES of Colorado, were among the most valued and distinguished Senators. Many of them had been long in the public service and won national reputations. In their careers, activities, and characteristics they represented distinct types of American citizenship.

I might select for comparison ELKINS, DANIEL, and DOLLIVER. Senator DANIEL was almost the last of that line of southern orators whose fervid eloquence and glowing rhetoric made famous the forum and the platform before the Civil War. He had lofty ideals of government and civic duty. He had an intense pride in the greatness and glory of the country, and drew inspiration from the past for guidance in the present. The wonderful material developments since the Civil War, the increase in national, and especially in individual, wealth did not appeal to him. He never possessed either greed for gain or lust for fortune. He was an idealist of a rare type, whose great gifts were devoted to the realization of those ideals in the preservation of the constitutional limitations of the powers of the Federal and the State Governments, and to bringing back the people to what he regarded as the purer and higher life of the fathers of the Republic. A chivalric figure both on the battle field and in the Senate, he brought the knightly virtues of a romantic age to the solution of the prosaic problems of the day. Senator DOLLIVER, on the other hand, was intensely modern. From the parsonage of his father, in which he received his early training, he carried into public life the spirit of the missionary. He was possessed of a rare faculty for oratory, and equally brilliant in argument, appeal, ridicule, and humor. He came while young into public life and from a constituency which promised a long continuance in the public service.

He never, was in contact with and cared little for the wonderful opportunities for men of masterful genius in affairs which have created the phenomenal fortunes of the past 40 years. He was essentially a tribune of the people. His mind was absorbed in the solution of the economic problems of protection and revenue in a way which, according to his faith,

would add to the wealth of the Republic and the individual prosperity of every citizen. He studied the movements of the markets with the sole purpose of originating and promoting such legislation as would keep our places of trade and barter as far as possible for the benefit of the producers and workers of the United States. He also believed in such use of the prestige, power, and diplomacy of the country as would win an open door for our surplus in competition with the great manufacturing nations of the world into the Orient and Africa. He died, as he had lived, on his chosen battlefield, using all his powers and exhausting his energy and vitality for ideas which he believed would eventuate in policies and measures for the best interests of the people. The chivalric knight from Virginia and the modern soldier from Iowa filled large and useful places in our political economy and have left few successors.

Senator ELKINS presented an entirely different and equally useful type of American citizenship and activity in public life. He was preeminently the business man in politics in its best sense. He was a pioneer and a promoter. He could turn the wilderness into productive possibilities which would attract and support masses of people. He could project and construct railroads for the development of the mine and the forest, and won for himself by his genius for affairs an enormous fortune. Yet as a Senator he brought the invaluable aid of his experience, his business acumen, and his knowledge of affairs to legislation which was for the protection of the people against the misuse of millions and the creation or the existence of monopoly.

A contemplation of the lives of these three statesmen presents a vivid picture of varying conditions in the forty-eight Commonwealths which constitute our Federal Union. In many of the States there has been cultivated a hostility to corporations and wealth which builds bars of insuperable height and strength against any man, no matter how gifted, who has made a success in corporate management or accumulated a fortune in active business, becoming a representative of the people in public office. Such communities believe they are best served by theorists and idealists. They accept with eagerness and enthusiasm the various panaceas which are so skillfully manufactured and so attractively presented for the cure of the ills of the body politic. But West Virginia and other States similarly situated present a remarkable contrast. Limitless wealth and opportunities for employment and the accumulation of a competence lie in the mines in her mountains and valleys, and her primeval forests. Instead of locking up her boundless resources she welcomes capital and capitalists who will open her mines, build her villages, enlarge her cities, improve her water powers, and construct her railroads. Ever since her organization as a State she has sent to both Houses of Congress the men who were doing this work in her behalf, while they were accumulating, or had accumulated, large fortunes by their efforts. Her people recognized that every mine opened meant more families supported and more opportunities for the youth, and every railroad built or extended meant the wilderness converted into boundless opportunities for development, for population, and for prosperity. She believed that the men whose genius, energy, experience, and money were accomplishing these results could best secure for her the legislation which would redound to the progress of the State and the benefit of its people. Senator ELKINS was easily the leader among these bold and adventurous spirits who dare risk their all, because they know if they live success is certain to crown their efforts.

ELKINS, the legislator, though a railroad promoter and owner, saw the necessity, for the protection of the people and of investors, of a large measure of Government control over railroad corporations. As the head of the great Committee of Interstate Commerce he had charge of the measures which have accomplished so much in the preceding administration and the present one to remove the railway from politics, to reform and punish abuses, to give shippers and the traveling public a tribunal with power for instantaneous redress, and to secure stability to business and credit by the largest measure of Government activity in railway affairs. The antirebate bill, which goes by the Senator's name, was his own creation. By supervision and penalties he prohibited discriminations in favor of individuals or communities and compelled these great corporations to treat all alike. So the railway rate bill of the Roosevelt administration and the railroad bill of the Taft administration, distinct advances in the line of wise corporate control, greater than had been accomplished since the first locomotive was placed upon the rails 81 years ago, passed through his formative hands as the chairman of the committee that had them in charge and were conducted by his skill and genius as a parliamentarian in their passage through the Senate.

A young American who has finished his college course and continued his law studies until admitted to the bar has the world before him. It is the critical initial period which tests the fiber of his being. He may settle down in his native village or take the more perilous plan of entering the contest in a large city or move to new territory to grow up with the country. His choice and the few years following it indicate his future and fix his career. In 1864 New Mexico was as distant, almost, as Japan now is and as little known in the States. The Spanish adventurer Coronado had conquered the Indians and settled it with his followers 70 years before the Pilgrim Fathers landed on Plymouth Rock.

The Territory had been in 1864 only 14 years annexed to the United States, and its population was still overwhelmingly Spanish. The conservatism of the people is best illustrated by the fact that the first rail was not laid down in the Territory until 1878. Young ELKINS, looking around for the best field for a career, selected this distant Territory. His magnetism, his charm, his resistless energy, and the fact that within a year he had acquired the Spanish language, captured the imagination and confidence of these Latins, who had met no one like him in the over 200 years of their settlement. They sent him to the legislature and elected him twice to Congress. In the House of Representatives he came in contact with the brilliant men who were Members of that body in the Forty-third and Forty-fourth Congresses. With his alert and receptive mind, with his rare faculty of soon gaining an intimacy with strong characters, he speedily absorbed an intimate knowledge of the resources and business opportunities of the different sections of the country. He recognized early the fortunes there were in the acquisition of coal lands, if they could be reached and developed by cheap transportation. He saw that the future for him was not in the slow-moving life of New Mexico, but in bringing into the channels of trade the treasures which had been accumulating for ages beneath the soil of West Virginia. I remember how, in the early years of his life in West Virginia, I used to meet him often in New York trying to inspire men of means with his own confidence and enthusiasm in the resources of his State. Always hopeful, perennially optimistic, neither indifference nor incredulity nor rebuffs could discourage or dishearten him. He brought into the countingrooms of finance the fresh and invigorating atmosphere of his mountain home. By his earnestness, his indefatigable industry, his wonderful ability to win the hardest-headed to his faith, he advanced by many years the progress and development of his State.

Few versatile men are successful. Concentration is the secret of power, but nature endows some highly gifted with the ability to concentrate with equal success in many lines. Senator ELKINS was one of these fortunate individuals. Notwithstanding the cares and anxieties which attend the initial processes of the development of nature's resources, he found leisure to be for twelve years one of the most active and influential members of the Republican national committee. We of the older generation know the trust which was reposed in him by his fellow members and the extent to which the greatest responsibilities were placed upon his shoulders. I never shall forget a dramatic scene between him and the Republican candidate for President, James G. Blaine. It was just after the famous meeting of the presidential candidate with a thousand Protestant ministers when three words uttered by their spokesman ended the most hopeful of canvasses and changed the course of American history. Mr. ELKINS was responsible for bringing about this meeting, which was all right in its conception and intended to remove the prejudice which had grown up among Protestants because of Mr. Blaine's family relationship to the Catholic Church. Of course, no one could foresee that the preacher, who was also the spokesman, had a formula which he had used a hundred times successfully from the pulpit, but which when it became a part of the literature on one side of political controversy proved a can of dynamite for the cause it was uttered to promote. No one saw the disastrous effects of coupling together rum, romanism, and rebellion more clearly than did Mr. Blaine. He was naturally for a while not only indignant, but unreasonable, and yet, when he saw how deeply affected was Mr. ELKINS, Blaine put his arm around ELKINS's neck and said in that tone of tenderness which captured and bound to him thousands, "Steve, it was planned for the best and no one could have foreseen what has occurred."

The few who witnessed the incident knew what a load it lifted from the heart of the one and how deep and abiding was the affection of each for the other.

I had an illustration of Senator ELKINS's methods of accomplishing results. After his second nomination and the retirement of Mr. Blaine from the Cabinet, President Harrison tendered to me the position of Secretary of State. I told him

I could not take it because, as president of the greatest railway system in the country, it would inject in the then inflamed condition of the public mind on railway questions an unnecessary issue into the canvass, which had four months to run before the election. The President did not think so, and sent Mr. ELKINS, then Secretary of War, to persuade me. He did not argue with me, but said, "Come, let's take a walk," and he led me over to the State Department and then pointed to the portraits of those who had occupied that great place, among them Thomas Jefferson, John Marshall, James Madison, James Monroe, John Quincy Adams, Henry Clay, Martin Van Buren, Daniel Webster, John C. Calhoun, Edward Everett, and William H. Seward, and said:

There is a list far more eminent and distinguished than the Presidents of the United States. To have your picture hung in that line is fame.

To Senator ELKINS was granted a rare equability of temper and equilibrium of mind. He was an earnest partisan and stated his views on all public questions with the vigor of profound conviction, but he never uttered a word which injured anyone's feelings or left a sting behind. When partisan rancor was most bitter and passions intense he was equally welcome with every faction of his own party and of the opposition.

Senator ELKINS was a big man physically, mentally, and sympathetically. Successful men have had experiences, with temporary setbacks, discouraging failures, or faithless friends and implacable enemies. Their experiences harden them against appeals from suffering humanity. But for the Senator these trials broadened his charity. He was remarkably free from enmities and animosities. To forgive and forget were his nature and policy. He was first beside friends in sorrow or sickness, and his affectionate interest and bracing vitality were of infinite help and comfort. If the trouble was financial, instead of avoiding the unfortunate, which is the common way, he would drop his own great affairs to take up those of his friend. If the enterprise was sound and required more pecuniary assistance to tide over the depression of a panic or a mistaken calculation, his sagacity and money would change the situation from impending bankruptcy to prosperity. Though not an orator, yet in debate upon the purely material propositions, which constitute most of our legislation, his common sense, practical experience, and lucidity made him a dangerous adversary and persuasive advocate. The memory of this happy, healthy, helpful figure in our public life will long linger among the best traditions of the Senate. West Virginia is destined to become one of the most prosperous of our industrial Commonwealths. As the State grows because of the development of its exhaustless natural resources, so will the fame of one of its greatest State builders, STEPHEN B. ELKINS.

Mr. BAILEY. Mr. President, when I entered the Senate I enjoyed but a slight acquaintance with the late Senator from West Virginia, Mr. ELKINS, but even that had brought me to appreciate those qualities which made and kept him easily the best-beloved Member of this body; and when one afternoon, soon after I had assumed my duties here, he crossed the aisle and proposed a permanent pair with me, I readily and cheerfully consented to that arrangement. Our relation, thus established, brought us frequently into contact, and Senators will understand all the better what that contact meant when he volunteered to say that if in his absence at any time I felt that my duty to my people or the suitable care of my own political fortunes required me to vote, I was at liberty to do so, even though it left him without a pair.

Our friendship, beginning almost when my term in the Senate began, was not only a source of constant and uninterrupted pleasure to me, but it was often used by my other friends to their good advantage, for it became a common practice with those who knew how much I loved him to seek my intercession with him. When the river and harbor bills were pending Members of the other House, not from my own State alone, but from other States, often appealed to me to interview Senator ELKINS in behalf of projects which deeply interested them, and many was the time I have taken anxious Members of the House to him in order that they might state their own case.

In all of those incidents not once did that Senator ever exhibit an impatience or appear indifferent to the request of a Member whose name perhaps he had not known until I had introduced him and in whose State he could not possibly have felt any local interest. Not only was he generous and obliging to men from all sections, but he was especially so to men of the section from which I came. He was the best friend the Southern States have ever possessed in this Chamber since I have been a Member of the Senate, and in making that statement I do not even except Senators from the South themselves. No

Senator from any Southern State ever invoked the friendly offices of Senator ELKINS in vain, and he sometimes aided us in works which we believed right and proper though our colleagues from other Southern States could not agree with us. Not only in those great works of internal improvement, but on every other question which touched the honor or the interest of the South he was our steadfast and our unswerving friend.

He had so impressed me with his peculiar interest in our States and in our section that one day, half in jest and half in earnestness, I said to him, "You are better to us than we are to ourselves, for you will help us whether we are right or wrong." He looked at me with that unfailing good nature which so won the hearts of all who came in contact with him, and he said, "My dear boy, to me the southern people are never wrong." And then, as if that needed to be qualified, he added, "They were wrong once, I suppose, when they tried to dissolve the Union, but that is the only mistake they have ever made, and I never expect to think that they have made another."

Other Senators on this side, who often appealed, as we were compelled to appeal, because we were in the minority here, to his great influence with his colleagues on the other side, appreciated his services no less than I do.

Mr. President, there have been many who have served in this great assembly who were loved and trusted by all their colleagues; there are Senators here now loved and trusted without measure and without question; and yet, without invidious distinction, I believe I may safely say that not one of us who are still here, and not one of those who have gone before us, was as universally loved and trusted as he was. And if I sought a reason for a fact like that I would find it in the other fact, that he loved and trusted us, and thus he warranted us in loving and trusting him.

He was of that nature that, intending no evil himself, was not swift to impute evil motives to other men, and though he passed through that calumny which all successful men encounter, it left no stain upon his name and it left no scar upon his heart. I have seen him when they were misrepresenting his purposes, and when they were challenging his patriotism put such suggestions aside as strong men would the challenges of children, and he was often charitable enough to believe that the men who unjustly aspersed him were honestly mistaken. I almost envied him that virtue. I never envied him his fortune, magnificent as they say it was; I never envied him his station, because perhaps my own was not less than his; I never envied him his friends, though they were manifold more numerous than mine; I never envied him any of the great and varied success which fate or his own exertion had won for him; but sometimes I did almost feel weak enough to envy him his good nature. To those of us who have a bitterness easily aroused by ungenerous treatment, it is almost incomprehensible how a man can be gentle and patient under criticism which he knows to be malicious and untruthful. To those of us who find it difficult to believe that honest men ever libel other men, it was a source of constant astonishment how this brave and upright man passed unheeded the things that would have deeply wounded others.

In all of my close and intimate association with him, Mr. President, I never saw him out of humor; and I heard the clergyman who officiated at his funeral say that he had never been known to lose his temper. Yet, sir, it must not be supposed that because he did not permit himself to fall into an ugly frame of mind he was one of those weak and vacillating natures who can not be otherwise than civil. He was that strange combination, sir, of which we have often heard but which we seldom see in this world, which unites a gentle nature with the firmest purpose. He would yield and he would compromise the honest differences which often divide men in this Chamber. He was by nature a pacificator; and he did not believe, as too many in high position do, that he was wholly right and those who differed from him were wholly wrong; but conceding to them as much of honesty and as much of wisdom as he claimed for himself, he met them and he sought to accomplish work, to achieve results by adjusting differences where differences could be honorably adjusted. But when he found that it was not a difference which they were seeking to adjust, when he found that men were striving to impose upon his good nature, he could reject all overtures and he could resist all selfish appeals as firmly as any man whom it has ever been my pleasure to know. Gentle, yielding to what he thought others believed was right, yet, sir, when he reached the limit he was as firm as the hills amongst which he sleeps in peace to-day.

When we adjourned the last session of this body and he passed out yonder door, he was a specimen of physical and intellectual manhood such as we seldom see. Full of hope, full of courage, and full of honors, it seemed so reasonable to

believe that he was likewise to become fuller yet of years. So robust, so eager, so devoted to all that is best in life, he was the last amongst all our colleagues upon whom we thought God would soon lay His hand. Stronger than any of us, in robust health, with much undone which he was eager yet to do, it did not seem, sir, that he was standing upon the verge of the grave, and that ere our duties called us back he would sink forever into its narrow bosom.

But, Mr. President, while we stand with uncovered heads and with tear-stained eyes about his open grave, we are not without our consolation, for it was his faith, embraced no matter how late in life, it was still the faith in which he died, that the grave is but the vestibule of a nobler, a better, and a more eternal life than that which he put off amidst our tears but without his fear. He has gone, but behind him in the records of this Nation he has left a monument more enduring than affectionate hands can build for him. Clothed with the confidence and affection of a brave and a free people, commissioned to speak in the highest assembly of the world as one of the representatives of a sovereign State, that would have been honor enough. But that is not all of the honor which belongs to him and to his career, for, sir, his name is inseparably connected with some of the most useful and some of the most far-reaching legislation ever written into the statute books of this Republic; and the memory of his service will endure as long as men read the history of the time in which he lived.

Mr. WATSON. Mr. President, the memory of STEPHEN BENTON ELKINS, for 16 years a distinguished Member of this body, will remain fresh and fragrant in the great State of West Virginia through many generations.

In the upbuilding and development of that splendid Commonwealth; in the progress and prosperity of its people; in the dignity and honor and standing it has achieved, he was a potent force—a fine, fearless figure that loomed dominant and large.

His name will be cherished in affectionate remembrance by our people, and his powerful and attractive personality missed and mourned for many years. In his death his State and this Senate has sustained a loss, the extent of which will be better realized as time passes.

The country as well as the community has suffered by the untimely taking away of this big and lovable man, who labored for the general welfare and whose clear conception of his public duties and comprehensive grasp of public questions marked him as a statesman of great force, wide influence, and tremendous achievement.

His distinguished and inspiring career, his early struggles, the brave battle with life he made and won, his political and professional triumphs have been eloquently and feelingly described by Senators who have preceded me. His success as a lawyer, a soldier, a student, a man of business and finance, and as a public servant have been graphically and truthfully described by men who were at once his colleagues and his devoted friends.

It is to STEPHEN BENTON ELKINS the man to whom I wish to pay tribute—the man whose genial and lovable nature, whose cheering smile and unchanging amiability attracted friends to him as the magnet draws the steel. His warm heart, his kindly nature bound to him those friends with bonds that were never broken, and now, that he is gone forever, his loss leaves them with a void that can not be filled. Time may diminish the pain they now feel, but the memory of his sunny disposition and the great kind heart of the man will be imperishable.

To those upon whom the blow falls hardest—the members of his immediate family—the sympathy of his State, of the Nation, and of the people whom he served goes out in full measure.

His was a full and useful life, crowded with honors and crowned with gratified ambitions; but absorbing as were his many interests and activities they were not allowed to diminish his love and devotion to those nearest and dearest to him, and it is in his home the keenest sorrow is felt and the burden is heaviest.

A sturdy oak has been uprooted. It will be a long while before one springs up to take the place of the towering tree that has fallen.

MEMORIAL ADDRESSES ON THE LATE SENATOR CHARLES J. HUGHES, JR.

Mr. GUGGENHEIM. Mr. President, pursuant to the notice I gave the Senate a few days ago, I submit the following resolutions and ask for their adoption.

The PRESIDING OFFICER. The Secretary will read the resolution submitted by the Senator from Colorado.

The resolutions (S. Res. 347) were read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. CHARLES J. HUGHES, JR., late a Senator from the State of Colorado.

Resolved, That as a mark of respect to the memory of the deceased Senator, the business of the Senate be now suspended to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate a copy of these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased Senator.

Mr. GUGGENHEIM. Mr. President, it is with profound sorrow that I appear on this occasion, not alone on account of the individual loss to Colorado, sustained in the death of my late colleague, but also that the painful bereavements of this body during the sessions of the present Congress have been augmented by his departure.

CHARLES JAMES HUGHES, JR., was born in Kingston, Caldwell County, Mo., February 16, 1853, and died in Denver, Colo., January 11, 1911. Birth and death define the extremes of life, but it is the filling in of the years that counts—that really interpret life and its profound meaning.

In the early career of Senator HUGHES there were busy years of earnest preparation for life and its activities. In the home and school and in every situation during those formative years he brought to bear the faithful study and intense application which were the marked characteristics of his later life.

If heredity counted for anything, there was transmitted to him from a lawyer father and legal family affiliations a distinct call toward the profession of the law, and in choosing it he made no mistake.

Removing to Denver in 1879, he began a law practice which was immediately lucrative, and he was recognized as a safe, reliable counselor from the start. It was a time, too, when mining and irrigation laws then in vogue, and many of them formulated as exigencies required, were being tested to the uttermost. This situation appealed to the young attorney, who was never so much at home, never so profoundly absorbed in the elemental traits of his intellect, as when called to interpret the most difficult legal problems presented to him; and as he progressed in his practice he manifested his powers of persistence, his depth of learning, and his eloquent ability at the bar.

Never once was his honor and legal judgment doubted by his clients.

He was a great lawyer by intuitive processes as well as by deep and thorough study, and never so happy as when untangling intricate phases of the law in the courts and before classes of university students, in whom he always manifested great interest. He was recognized as a prodigious worker, and so well were his labors classified that the experts and clerks in his office found themselves in an atmosphere of industry, of research, and study that called forth the same qualities of application and effort that were so marked in him. Midnight and daylight found him at work, shirking no duty, and never requiring of others the labor he imposed upon himself.

The conservation interests of Colorado and the great West were studied by him from the foundation up, no feature for or against being hastily assumed, and when made clear and just to himself, then nothing could interfere with his emphatic declarations concerning them.

In politics he was an old-time Democrat, believing in his party and in the ability of the party to build itself into power and permanency from within and on the basis of distinguished precedence, rather than through the agency of numerous and complicated systems of expediency.

The tariff was studied by him in its closest details. For many years he had familiarized himself with great political problems, national and international, with the same deep study which he gave to every local problem affecting his own State of Colorado.

There had been a dream in his consciousness, an ideal toward which he walked, with fine appreciation of its large demands and thorough readiness for its realization—a place among "the seats of the mighty." He came to it steadily, studiously, and unwaveringly. And when he leaped into sudden fame in the United States Senate it was through the mastery of his splendid intellect and training.

But if he came as a surprise to this body, it was not a surprise to his own people. Colorado had taken measure of his mental stature and knew thoroughly his splendid equipment for the place. Proud of the quick recognition accorded him, there was still a larger fulfillment awaiting him.

It is unspeakably strange how a beautiful dream can be realized and how that dream can be so mysteriously shattered—the magnificent preparation to live becoming the magnificent preparation to die.

To the United States Senate this intricate, unsolvable problem has been brought with startling significance. Colorado

mourns the Nation's losses and mourns her own loss, and yet no one of us has seen the hand that opened the door for one and another of our honored membership when the silent call came for them to go. The State of Colorado mourns the death of her exalted citizen. She watched with profit, as well as pleasure, the daily growing of a gifted mind, from promise to fruition; from the beginning of a career, marked by ceaseless effort, devotion to study, and loyalty to principle, to the time when the rich experience of such a life has been garnered with distinguished results. The highest place is none too high for such a life. This was predicated of CHARLES J. HUGHES, Jr., for many years. He idolized his profession. It yielded its secrets to him, keeping nothing back. He venerated the principles of right and justice as embodied in the law and in the Constitution of the United States. Ceaseless and difficult mental work requires almost herculean physical strength. Those who knew him best in Colorado welcomed for him a change of scene and application, hoping he would, as a duty he owed to himself and family, take his new obligations less laboriously and give a personal and justifiable interest to the conservation of his own physical resources, looking to a complete restoration of his health, that he might render larger services to his State and Nation in the future. But the habits of a lifetime, with a restless brain and burning desire to accomplish what he had in view, in his enlarged horizon, were not to be thrust aside.

Senator HUGHES worked as if he wrought for eternity and could not understand human and time limits as applied to his own physical constitution and welfare. Work was his life, and the fierce problems that were slaying his colleagues all about him seemed to be but voices demanding increased energy from him, even when he knew, and those nearest him knew, that he was encroaching upon the reserve forces of his being.

Colorado has lost a distinguished citizen. He died young, if we count it by years; if by achievement, his was a long life, compact with purpose, effort, and realization.

The Nation has lost a leader, a safe guide, a statesman.

The lines of the poet Tennyson, it seems to me, fittingly exemplify his life:

For can I doubt, who knew thee keen
In intellect, with force and skill
To strive, to fashion, to fulfill—
I doubt not what thou wouldst have been:

A life in civic action warm,
A soul on highest mission sent,
A potent voice of Parliament,
A pillar steadfast in the storm.

Mr. STONE. Mr. President, I have been asked to speak a word of tribute to the memory of CHARLES JAMES HUGHES, Jr. My acquaintance with him dates as far back, perhaps, as 20 years; but, while I came to know him well, I never knew him intimately. Our meetings were too seldom and our association too casual to admit of intimacy. That he was born and reared in Missouri; that he was educated in that State and there began his career, were the circumstances that first attracted him to me. Later, and as I came to know him better, I was attracted by his great personal qualities. While yet a young man, and at the very beginning of his professional activities, he moved to Colorado and located at Denver, the capital and metropolis of the Centennial State. There for more than 30 years he lived and wrought. His environment gave tone and color to his thought, and all the wondrous things about him spurred his ambition and added zest to his work. There was to him a charm and inspiration in the great, towering mountains that stood as a majestic background to his home. Who has ever been in Denver and watched the red sun fall behind the high-lifted hills which rise just beyond the city's gilded spires, who did not feel profoundly impressed by the wonderful beauty and semisolemnity of the scene? To any man of refined intellectuality and with sentiment enough to respond to nature's wooing there is always to be found in rugged mountain scenery an influence both impressive and ennobling. Winged spirits dwell on mountain heights, and from the crest of lofty peaks inspiring voices call. These spirits stir high-minded men with the fire and passion of great ambitions and these voices call from on high to human souls to climb. With these spirits young HUGHES held companionship and to these voices he gave instant and joyous answer. He became a climber and also perforce became the architect of his own fortune. A brave heart and a strong, normal mentality constituted his first capital. With these he constructed his life work, and we know that he builded wisely and well. Harkening to the call that came down to him from above, he was always climbing, climbing higher, ever higher. With character foundations deep-laid and solid and with moral fiber close-knit and strong, it is no wonder he knew that each year's finished work would stand the white heat of

any test; and it was only natural that this knowledge afforded him an ever-present encouragement to advance without fear, always striving for greater and better things. And what of his work—what did he accomplish? Mr. President, when we behold a great life snuffed out by the tragedy of death, and when, looking backward, we seek to measure the worth of the stricken man, what takes first place in the sum of our estimate? There are three things—his individual character, his home life, and his conduct as a citizen—a trinity that might well be merged into one. These three things come first, and as to these the example set by Senator HUGHES is so conspicuous as to deserve universal admiration. I would not say that his daily life—his incoming and outgoing—was in all respects above criticism, for only one wholly blameless ever trod the earth; but I will say that the private life of Senator HUGHES was on lines so elevated and altogether so clean, sincere, and true as to afford little ground even to the most querulous for reproach. His body, impaired by affliction, was weak, but his character was rugged and strong. He could no more be moved from what he believed was right or moved to do what he believed was wrong than you or I could move the eternal mountains he loved so well. Mr. President, it has been well said that home life furnishes the finest test of those high qualities which make up a thorough gentleman. Senator HUGHES's home life, characterized by refinement and gentle courtesy, was ideal. Above his hearthstone love was regnant and with soft hand wielded there his royal scepter, bringing all hearts under the sweet influences of his sway. This home life of Senator HUGHES illustrated in a beautiful way the simple life of all cultured American gentlemen.

Mr. President, it was almost impossible that a man so constituted and trained as this dead Senator could have been other than a model citizen. He was a model citizen. In every work intended to promote the welfare of his city or State he fully performed his part, never shrinking from the call of duty. If a man be brave, faithful, and honest; if he fills his home with sunshine and love; if he is kind to the poor, gentle to the afflicted, a good neighbor, and a loyal friend; if he is a leader in public enterprise and an exemplar of civic duty—if, in short, he embodies all these virtues in some large measure, then there is, indeed, "a combination and form where every god doth seem to set his seal to give the world assurance of a man." Senator HUGHES was of this type. It should be eulogy enough when that can be truthfully spoken of any man. But HUGHES also wrought in other ways, and did things the world calls great. He rose to high professional eminence. In the judicial forum—a forum wherein the best-trained gladiators clash—he ranked among the foremost. When I say that he was reckoned among the great lawyers of America I will not offend by adding that he was at the very head of the Colorado bar, a bar recognized as one of the ablest in the Union. Mr. President, I can not conceive of a more enviable distinction than that of being deservedly recognized as among the great lawyers of the country. How easy it would be for me to name a select company of immortals whose fame is chiefly associated with the law and courts of justice; and, laying down the burden of an arduous life, what greater honor could come to any man than to occupy a niche in the temple consecrated to that illustrious company?

While Senator HUGHES possessed great abilities remarkably well adapted to public work, he had but little experience in that service. This was of his own choosing, for more than once he was offered positions of the highest distinction in his State. He seemed wedded to the law and unwilling to worship at any shrine save the one sacred to that blind goddess in whose hand is held the even scales of justice. The office of Senator, to which he was elected two years ago, and which he filled at the date of his death, was the only public station of any moment he ever occupied. His service here, although lamentably brief, was so exceptionally distinguished as to give great promise of a brilliant future. No man ever rose with greater rapidity or on more substantial merit to a commanding place in this great assembly. He was not here beyond a single session until his forcefulness was recognized and his power felt. Still climbing, as he climbed when life was young and limb was lithe, he was here fast rising to a place of such well-deserved leadership that none could dispute it. The door of opportunity was opening to him for the performance of great services of signal value to his country. Oh, how pitiful that he should fall just as the sun began to shine with smiling face upon a great future for him! Mr. President, it is said that every cloud hath a silver lining. I believe there was never a regret so profound that there was not somewhere in the gloom a comforting spirit—no sorrow ever so acute and hopeless that some solacing thought did not creep in to soothe the anguish of the heart.

Missouri mourns for HUGHES, but finds a comforting pride in the thought that she gave this great son of hers to Colorado. Colorado mourns for HUGHES, but finds an uplifting solace in the thought that all his great qualities as citizen, lawyer, and statesman were matured within her borders and are a part of her heritage.

Here, Mr. President, I would close this imperfect tribute, except that in the circumstances of this hour I can not forbear digressing far enough to speak a kindly word or two of my old friend STEPHEN B. ELKINS. Although not born in Missouri that State was his home from early childhood to mature manhood. There was one striking bond of sympathy and affection between Senators ELKINS and HUGHES and myself. All of us were educated at the University of Missouri, and every university man knows how the heart clings to the old school and to everything and everybody connected with it. The university authorities had voted to confer the LL. D. degree upon Senator ELKINS, and it was expected that the ceremony would occur last June. But, as you know, his legislative duties at that time were so imperative and urgent that it was wholly impracticable for him to absent himself from Washington. I know this was a great disappointment to him, and he often spoke to me of the next university commencement, which he confidently expected to attend, and to which he looked forward with anticipations of a most pleasurable occasion. I had promised to be present and introduce him when the time came to confer his degree. I knew Senator ELKINS well, and held him in most affectionate esteem. Besides being a man of exceptional ability, energy, and force, he was one of the most lovable men I ever knew. When I parted from him at the close of Congress last summer I little dreamed it was the last time I would see the light of his kindly eye and feel the pressure of his hand. It is a sad disappointment to me that we shall not meet next summer, as we had planned, amid the familiar and classic environments of our old university.

Mr. President, Missouri has a right to participate in the obsequies of to-day, and to share with West Virginia and Colorado in paying tribute to the dead statesmen in whose memory these solemn ceremonies are held. I speak here in a dual capacity, for myself and for my State. In speaking for myself I speak as a friend who has suffered a grievous personal loss; in speaking for the State I speak as for a mother who, while weeping at the bier of her dead sons, feels her heart glow with honest pride that she gave such splendid types of American manhood to her sister States and to the world.

Mr. CLARK of Wyoming. Mr. President, for months past the grim and unrelenting archer has stood as sentinel in almost constant attendance upon the doors of this Chamber. His shafts have been thrown with swift, with frequent, and with deadly aim. He has spared neither locality, youth, age, nor activity in service—the North and the South, the East and the West have alike draped their desks in this Senate, and every section has been called upon to mourn its worthy sons. To-day Colorado is joined by her sister States in paying just tribute to the life and character and public services of one who had become bone of her bone and flesh of her flesh; one whose manhood had entered into her history and success, and whom she had honored with the highest political station that was hers to give.

CHARLES J. HUGHES, Jr., was, to all intents and purposes, a product of the mountain west; clean of purpose, direct of thought and of action, he was in the highest degree typical of that race of men who have carved sovereign States out of inhospitable wastes, and have stamped the hall mark of the highest American manhood upon our newer Commonwealths. Born in the Middle West, acquiring his education and profession under the conditions of moderate circumstances and the self-denials and self-helps characteristic of our best American life; with a mental equipment and a strength of character that was to carry him far ere "finis" should be inscribed upon his work, he early turned his eyes and thoughts to our everlasting hills and cast his hopes and his fortunes into the lap and life of the "Centennial State." A lawyer by nature and education, he there entered at once upon the active practice of his profession. His field of labor opened up for him new and unsettled branches of the law, where precedents were few and of little avail. Only in comparatively recent years has mining law become in any sense settled, and irrigation law is still of later date; in both of these important fields Senator HUGHES was a pioneer, and, at the last, a specialist. He delighted in wrestling with the new and untried problems, and to him, as much as to any other one man, is due the credit of working over the crude material at hand into a line of decisions along both branches that welds them into well-settled and logical law.

Not content with the ordinary work and results incident to the particular cases at hand, his lectures in the eastern law schools and universities marked him as authority of the highest class in these two most important specialties of the law; and, all in all, the bar of the entire West gladly gave him place among the really first-class lawyers of his time.

To those who knew him well his election as Senator brought the greatest satisfaction. He brought to the duties of that high office a personal character above reproach, a mind alert, keen, and courageous, and a modest self-confidence that itself insured a useful and successful career in this body. His services as a Senator were all too brief, but in the little time that he was here his energy, his faithfulness to his constituency, and the vigorous ease with which his trained mind grasped great public questions gave promise of a great and worthy service and emphasized the great loss the country sustains by his untimely end; and while his short term here precludes the possibility of the greatest legislative fame, those who knew him best, who enjoyed his close personal friendship, and correctly estimated his attainments know that had his life been spared he would have been of inestimable service to his country in these and the coming days of change and vicissitude in governmental problems, and would have written his name far up in the roll of those who in this great body have earned and received, and shall earn and receive, high honor and the thanks of a just and grateful people.

Senator HUGHES was a man who always had, in political as well as in other affairs, the courage of his convictions. A party man, he placed patriotism above party. A Democrat of the old school, he was ever jealous of the rights of his State and suspicious of all attempted Federal encroachment. He believed fully in the restrictions of the Constitution and in the theory that this is a government of law and not a government of men, and these views, honestly held and freely expressed at critical times and on all necessary occasions, endeared him in the highest degree to the people whose commission he bore. Colorado gave him much of honor, but more of confidence and love. He was one of those who made her what she is and who gave in the making to the fullest extent his talent, his energy, and his loyal service, and in the history of that Commonwealth among all the great names that shall shine along its pages by no means the least shall be that of CHARLES J. HUGHES, Jr.

Mr. WARREN. Mr. President—

Leaves have their time to fall,
And flowers to wither with the north wind's breath;
But thou! thou hast all seasons for thine own, O death!

How sadly true the history of this body for the Sixty-first Congress has shown this line of the poet. Reviewing this history we may well pause in our busy deliberations and give thought to the mutability of human life and human institutions. Many times death has come into our ranks during the period so far passed of the Sixty-first Congress and taken acquaintance or friend from us.

When we read the death roll of the session, what distinguished and loved forms are called to our thought and remembrance—Senators with whom we worked day after day, month after month, or year after year, in committee or on the floor of the Senate, some in friendly cooperation and some in friendly rivalry.

This is the long list of our distinguished colleagues who have been taken from us during this Congress:

MARTIN N. JOHNSON, October 21, 1909.

ANSELM J. McLAURIN, December 27, 1909.

SAMUEL D. McENERY, June 28, 1910.

JOHN W. DANIEL, June 29, 1910.

JONATHAN P. DOLLIVER, October 15, 1910.

ALEXANDER S. CLAY, November 13, 1910.

STEPHEN B. ELKINS, January 4, 1911.

CHARLES J. HUGHES, Jr., January 11, 1911.

Eight in all within less than 15 months.

To the memory of the last named it is my sad duty to join with other Senators in placing testimonials in our records to his recognized brilliant accomplishments and abilities.

The life story of CHARLES JAMES HUGHES, Jr., is one that tells of toil—hard, constant, unrelenting toil—with one predominating object in view, thorough mastery of the subject or task before him. When death claimed him he was young in years, but old in results. In the 58 years of his life he had accomplished much.

Briefly stated, this was his life: He was born in Kingston, Caldwell County, Mo., on February 16, 1853, the son of Charles James and Cerena C. Pollard Hughes. His ancestors were Kentucky pioneers who came from Virginia.

Senator HUGHES was a graduate of Richmond College (Mo.) in the class of 1871, and was a student of the University of Mis-

souri in 1872-73. He received a degree of doctor of laws from both the University of Missouri and the University of Denver. After his graduation he supplemented his collegiate education by studies in higher mathematics, languages, political economy, and sciences useful in his legal practice, including engineering, chemistry, geology, ore deposition, irrigation, and hydraulic engineering. He accumulated one of the most complete private libraries in the country bearing upon these and kindred subjects.

After being graduated from college he spent five years in teaching in the public schools and as a college professor. In September, 1874, he was married to Lucy S. Menefee, and in August, 1877, he began the practice of law, locating in Denver in 1879. As a lawyer he was successful from the beginning, his thorough study and preparation having given him a perfect equipment for practicing his profession.

He built up an extensive practice, not limited to any field or class of clients, and embracing all save criminal law, which he avoided whenever possible.

The ability of Charles J. Hughes as a lawyer was known throughout the business world of the West and East, for he was engaged in conducting much of the important litigation relating to mining, irrigation, and other questions arising out of the formative and constructive period in the history of a new country and new States. Few great mining or irrigation suits in the Middle West have been tried in which he was not a participant as leading counsel. He was successful in the decision of many of these suits in their final settlement before the Supreme Court of the United States, and he admittedly stood with those occupying the front rank in his profession.

Before his election to the United States Senate on January 20, 1909, Senator HUGHES held no political office save that of membership on the State board of capitol managers which had charge of building the Colorado State Capitol. Twice the nomination for governor of Colorado had been tendered him by the Democratic Party, but each time had been declined. He was on his party's ticket as a presidential elector for Colorado in 1888 when he with his party was defeated; he was elected a Democratic presidential elector from his State in 1900, and defeated for the same position in 1904. He was a delegate to the Democratic National Conventions of 1904 and 1908.

His election to the United States Senate in 1909 followed an indorsement of him by the State Democratic Convention in September, 1908.

Senator HUGHES throughout his career as a lawyer had high political ideals. He twice declined the nomination for the governorship of his State, for his gaze was fixed on what he thought a higher station in the political world. That this was so was shown in his speech of acceptance upon his election to the Senate, when he said:

When there comes to us, as there comes seldom and to so few, the realization of the loftiest dreams of our imagination, hope, and ambition, we find that the feeble words of our language, the faltering utterances of our tongues, can neither respond in thanks nor in promises.

Thus we see that in the struggle for preeminence and success in his profession, Senator HUGHES was hoping and dreaming that the future held in store for him a place in this body. And in the busy moments of his life work his recreation was study and research in philosophy, political economy, and history in order that when his time came, as he surely believed it would, he would be prepared to take his place among the old and trained Members of the Senate and be able to take creditable part in the proceedings without having to serve the apprenticeship which many believe incumbent upon them.

How wisely he builded we who heard him speak during his too brief service with us can testify. How efficient and practical he was as a working member of the committees to which he was assigned, those who were associated with him on these committees well know. He was both a power in debate and a useful committee worker, a combination, as we know, somewhat unusual.

But how brief the fruition of his hopes; how futile the years of preparation to do well his part in the work for which he dreamed. The activity of his mind was too great a tax upon the resisting powers of a not too strong physical organization, and the years of mental toil and strain told, with fatal effect, upon his bodily strength. Perhaps he had a premonition of this, for when he was elected to the Senate he said:

I hope to slacken the pace of work and effort I have held for years, and believe that in doing so I shall be able to render better service to the State and improve the quality of any professional labors I may perform.

After he came to the Senate he sought to slacken the pace as he had promised, but the old habit of incessant work clung

to him, and it was only when he was stricken in August last that he gave up his strong hold upon the activities of his duties. Too late he sought by resting from his labors to regain the strength wrested from him by the hard, unremitting toil of years. He went across the seas to Hawaii in the hope that absolute rest and freedom from the cares of office would bring relief, but without avail, and he returned to his home in Denver, where, surrounded by the members of his family, he passed to the Great Beyond on the morning of Wednesday, January 11 last.

Senator HUGHES was imbued with sterling patriotism. His creed was expressed in his acceptance of the senatorship in these words:

There can come no hour in the Nation's history when I may not pledge the support of the party which has honored me and my own, however weak, to the strengthening of the hands of our Government by whomsoever administered, in every just cause upon which it shall enter, to the defense of every righteous policy it may espouse, and to the vindication of its integrity and wisdom in the councils of the nations.

He was a strict party man and a consistent supporter of the political party to which he had belonged from his boyhood days. And yet he was willing to act independent of his party upon questions affecting the welfare of his adopted State, Colorado. In the long contest over tariff legislation he voted for what he believed would best promote the interests of Colorado and the Nation in the adjustment of tariff rates, sometimes in opposition to the general attitude of his party associates. It was in defense of this independence of action that he startled the Senate and attracted the attention of the country when he declared:

I know no master * * * I demand the right to be heard unchallenged, uncriticized, and undominated by any influence save my own judgment and my own political conscience.

It was that declaration of independence and the able manner in which he carried himself in debate with the most skilled opponents in the Senate that evoked the general prediction that he was the coming leader of his party, a prediction that many believe would have been realized had he been spared.

Senator HUGHES was a courteous gentleman, of high ideals, and rugged, almost stern, devotion to an absolute unswerving idea of the right. Beneath an appearance of reserve we who knew him well were aware that he was charitable and hospitable and kind-hearted—one who loved his family, his friends, and humanity.

In my personal intercourse with him I recall many instances of his courtesy and kindness of thought and heart and charity for those in want and distress. His deeds of charity and kindness were performed quietly and without parade or ostentation, and those who were the beneficiaries usually were the only ones who knew of them.

I am conscious that mere words are weak and inadequate to fittingly place in the records of this body a proper estimate of the worth of the late Senator from Colorado. But there is comfort in the thought that while my words fall short and will be forgotten, his life, though brief, was full and complete with the accomplishment of the work which came to his hand.

Words may fade from memory, but the good deeds of a great man live forever.

Mr. TAYLOR. Mr. President, less than two years ago a modest and unobtrusive man quietly walked into this Chamber and was sworn in as a United States Senator from Colorado. Peculiar interest was centered upon him because he was the successor of Henry M. Teller, one of the purest and most illustrious statesmen of our times.

But all doubt as to his worthiness to wear the mantle of that splendid Senator was dispelled when, at the very threshold of a career which was so soon to end, he distinguished himself, not only as a lawyer and an orator, but as a safe counselor in the affairs of the Nation.

For myself, I was drawn to this man from the beginning, for behind his armor of unpretensions I saw an intellectual gladiator.

I have left it to others better acquainted with his private character and previous public and professional accomplishments to recount them, for it had not been my privilege to know him intimately before his advent in the Senate.

But those who have heard or read his speeches here need not be told that his former life abounded in great achievements, for they gave ample proofs of a profound thinker and a mind stored with the riches of knowledge.

Those who heard him in his first effort in this body will never forget the brilliant revelation of his power and his unmistakable ability to sustain himself in debate with even the ablest men of the Republic.

He possessed the three leading elements of a statesman—a profound knowledge of the law, the power to square public measures to the principles of justice and truth, and the courage to do it. Senator HUGHES's addresses on the tariff, the public lands, the income tax, and the interstate-commerce measures established his reputation at once as a leader. But he had not long to serve his people; he had not long to give evidence of his learning and superb ability in our midst; he was not permitted to reach the summit of his glory. And yet he was among us long enough to convince every Senator, not only of his high purposes and lofty ideals, but of his unselfish loyalty to his friends and to his country.

He was a fighter; a fighter in the courtroom, a fighter in the arena of politics. His convictions were on the side of truth and honor, and he had the courage to battle for them to the last ditch. He belonged to that type of men who make nations great and who lead in the march of human progress. He was imbued with the same spirit which inspired our fathers to establish our free institutions and which sustains and directs the administration of the Government for the good of humanity and for its final and complete emancipation from oppression and wrong throughout the whole world.

In my mind there is no shadow of doubt that the wisdom which devised and builded our form of government was inspired from on high, for the men who wrought it, as great and pure as they were, could never have conceived it so perfectly and completely of themselves.

The most conclusive evidence of the wisdom of the plan of salvation is its comprehensive adaptability to all ages and all conditions everywhere. It never needs amendment. It was all-sufficient in the beginning and will be to the end.

And I say with all reverence, that the plan of the great Republic, conceived and written down by its founders, partakes of this same unfailing sufficiency and adapts itself to the ever-changing conditions of business and government and to the progress of the race.

Has not the influence of our institutions spread all over the earth? Is it not permeating all nations and lodging itself in the universal mind?

And in consequence of all this, are not old ideals and old forms of government fading away? Are not constitutions being written everywhere?

Our lamented colleague was a firm believer in our great dual form of government and in preserving it as it is. He was a splendid interpreter of the Constitution and defender of the rights of the States to control their own domestic affairs unmolested by the Federal Government or any other power under the sun. He believed in curbing Federal power and holding it within the lines drawn by its founders. He believed in the greatest good to the greatest number and in the personal rights of all in the pursuit of happiness.

He was every inch a man, in love with his country and his fellow man, and in his death the Senate lost one of its ablest Members and the Republic one of its noblest citizens.

Mr. President, this has been a year of calamity for this Chamber, and we may well resolve it into a lodge of sorrow while we give voice to our lamentations.

Perhaps at no period in the history of the Senate has the angel of death been so busy and aimed so high.

Many of the best and most useful men of the times have fallen—patriots, scholars, statesmen, the noblest and most lovable spirits who ever blessed any people in any land.

We can not understand why they have been called away from their great work, but let us believe that it is a part of the plan of Him who controls the destinies of us all and who holds us in the hollow of His hand.

They played their particular parts in the great scheme that God devised to lift humanity up out of oppression toward liberty and light and have been called to rest from their labors.

They were not surface men; they did not strut across the stage of public life as daubed and tinsel actors in slipper and buskin to swagger in mock heroics and give frenzied utterance to fictitious thought. They were builders. They chiseled and carved the materials that have gone into the structure of the temple of liberty to beautify and adorn it and make it enduring; they fashioned them into the similitude of truth and wisdom, and truth and wisdom come from God and are God.

The Senator whose life and character we now commemorate was not the least among those master builders. His life will be an inspiration to the younger generation who knew him and witnessed his rise in the world.

There is one valued lesson to learn from his success, and that is the essential importance of preparation. He prepared

for the battle before he entered it. He held diplomas from two universities and then finished a course in the law.

He twice declined the nomination for governor of his State; but his experiences in public affairs seemed to peculiarly fit him for the career of a Senator.

And that his people, who knew him best, were of this opinion was demonstrated by the vote he received as a Democrat in a Republican State of 73 out of a total of 100 in the legislature.

Sir, I offer this feeble tribute of appreciation to the memory of the man who within so brief a time impressed us all with his virtues and high attainments and taught us to love him in life and to cherish happy recollections of him in death.

Mr. SMOOT. Mr. President, when CHARLES J. HUGHES, Jr., entered the United States Senate at the beginning of the present Congress he looked forward to a long period of service, and the people of Colorado, regardless of party affiliations, had every reason to expect a most useful and brilliant career for him, his State, and his country. He was splendidly equipped for the duties required of a Member of this body, and few men possessed a more logical or well-trained mind. Scarcely had he been in the Senate a year until everybody became convinced of that fact.

Senator HUGHES was an indefatigable worker. When it became apparent that his health was fast failing him he was no less energetic in the performance of his duties, but even put forth greater efforts to accomplish more. During the present session of Congress I had the honor to serve on a subcommittee with Senator HUGHES in the consideration of important public-land legislation. The pressure of other work made it necessary for the subcommittee to meet at nights, and I do not recall a single meeting which Senator HUGHES failed to attend and in the deliberations and discussions of which he failed to participate actively, notwithstanding it was then plainly evident that he was in no physical condition for such strenuous work. In few men were there combined in such a marked degree the ability and energy so characteristic of Colorado's late Senator.

Senator HUGHES was a scholar in the fullest sense of the word. At 18 years of age he graduated from Richmond (Mo.) College, and before reaching his majority he received the degree of LL. D., from the University of Missouri and the University of Denver, indicating his early boyhood love for the law. From the day of his graduation until his last illness he was devoted to his profession. I know I am within the bounds of truth when I say that there have been few greater lawyers in the United States than Senator HUGHES. As a legal authority he was no stranger to the people of my own State; in fact, he was known throughout all the intermountain States as a man of sterling worth, unquestioned honesty, and brilliant intellect. His counsel was often sought when great questions affecting the interpretation of the mining and irrigation laws were involved.

Not only was he a scholar and a student, but he was also gifted with sound judgment in the great commercial affairs of life. His name is coupled with many of the industries of Colorado which go to make that State great. The future historian in recording the wonderful achievements of Western State builders will refer to Senator HUGHES as a potent factor in the development of Denver, the metropolis of the State of Colorado.

It is sad to contemplate the death of a friend, a brother, a sister, a father, or a mother; but rather would I look at death as a temporary separation, the beginning of a new life, a life better, nobler, and greater than the one through which we are now passing—an advanced step in God's eternal plan.

It is glorious to contemplate the joys and beauties of a well-spent life. The web of life is drawn into a loom for us all, but we weave it ourselves. We throw our own shuttles and work our own treadles. The warp is given us by our Creator, but the filling is of our own making. Everyone is the architect of his own home—his own temple of fame. If he builds a temple, great, glorious, and honorable, the merit and happiness are his; if he rears a house, polluted, unsightly, and ignoble, to him belongs the shame and misery.

The life of Senator HUGHES was not great in years, but great in achievements. His work in this mundane sphere of action has ended. He will be missed by his colleagues in this body and by his countrymen, but the greatest loss will be to his fond and noble wife and children, to whom he was a devoted husband and a loving father. May they have comfort in his honorable and successful life.

Mr. FLETCHER. Mr. President, the announcement of the death of Senator CHARLES J. HUGHES, Jr., by the resolution of January 12, 1911, shocked the Members of this body and his

demise saddened deeply all those with whom he had been associated.

Born in Kingston, Caldwell County, State of Missouri, February 16, 1853, he graduated from Richmond College, Missouri, in 1871, and received the degree of LL. D. from both the University of Missouri and the University of Denver. He married Lucy S. Menefee, September 1, 1874, and began the practice of law in August, 1877, and located in Denver in 1879. He taught school for some five years prior to that, and I have often thought that the best way to permanently fix in mind and memory the subjects studied in college is by engaging in teaching for a period after graduation. The accurate and firm grasp I observed that Senator HUGHES possessed on all matters which he had considered reinforced that view.

On the 11th day of January, 1911, he departed this life, leaving his widow and four children surviving him. His law practice covered a wide range of litigation, and in recent years he appeared on one side or the other of most of the important causes originating in his section of the country. He gave special attention, however, to mining and irrigation litigation and delivered courses of lectures on that subject at Harvard Law School and for many years was professor of mining law in the University of Denver. He was a tireless worker, never saving himself, but throwing his whole soul into whatever he undertook with a concentration rarely equaled and a devotion never excelled. He possessed a thoroughly trained mind. Quick of perception, accurate in analysis, logical in its operations and penetrating in power, it seemed easy and natural for him to see straight to the heart of any question and grasp fully its ramifications. Affectionate and kind in his disposition and nature, he especially lavished upon his family the wealth of his warm heart and richest hopes. His reading took a wide range, and his power of concentration was such that everything of importance became fixed in his mind so it could be readily brought forth for use when needed and constituted a vast fund of information which appeared always at his command. His memory was remarkable for its accuracy and clearness and strength. His power of expression was extraordinary.

Forceful, polished, and dignified, he made plain and lucid any subject he discussed. His command of language was never lacking, and his mental processes were those of a thinker and reasoner, honest and sincere always. He was elected United States Senator from the State of Colorado January 20, 1909, having been the unanimous choice of the State Democratic convention at Pueblo, September, 1908. He took the oath and signed the roll as a Member of this body March 4, 1909, and his term of service would have expired March 3, 1915.

Speaking of him a few days ago, one of the most experienced and eminent Senators said truly that he possessed to a marked degree three qualities which are peculiarly important for service in the Senate of the United States—physical, intellectual, and moral courage. During the short time he was permitted to serve here he took his place in the very front rank of master minds, and his usefulness to his State and the country would have commanded recognition such as the great men of the country have written in our history.

I never met Senator HUGHES until we both took our seats here in March, 1909. It was then my good fortune to be seated next to him and to be thrown with him daily. I esteem it a great privilege to have enjoyed his companionship, which on my part ripened into sincerest friendship. My esteem and admiration and cordial regard for him grew as the days passed by. It is with profound sorrow that I realize the end of that relation—except only in memory—and I mourn his loss as a friend and a colleague, and, in a broader sense, I deplore the country's loss.

Of course no words we can utter here can bring comfort to those of his household who were so near and dear to him, but the consolation which comes from the knowledge that he had faithfully met the responsibilities of husband, father, friend, citizen, and public official, and had impressed the rare qualities of his head and heart upon his countrymen, they have.

He was honored and is remembered because of his high character, ability, and industry. After all, any man has lived to great purpose who has built up, developed, and established such a character, "the one indestructible material in destiny's fierce crucible."

He won distinction at the bar; in the lecture room he was preeminent, and he merited the high honors which were tendered him by the people of his State. He was a close observer, a hard student, and thoroughly familiar with governmental problems. He enjoyed the most valuable quality which characterizes great men—capacity for and power of growth. Glad-

stone was an example of this power or capacity. Throughout a long and useful life he continued to develop, expand, and grow. So with our friend, every day his alert and comprehensive mind added to its store of knowledge or reached out in some new direction, thus broadening and extending his horizon.

In the records of this Senate and elsewhere the results of his labor and thought will be preserved. At times while here he was not in vigorous health, but he was always cheerful and gentle and always attentive to his duties. Sometimes I have seen him in action, when I was reminded of John Randolph, of Roanoke, who on one occasion, when an angry mob was endeavoring to prevent his speaking, declared:

My Bible teaches me that the fear of God is the beginning of wisdom, but the fear of man is the consummation of folly.

Again, I have seen him working when he was not able, and I thought of what Talleyrand said of Alexander Hamilton:

I have seen one of the wonders of the world; I have seen a man laboring all night to support his family, who had made the fortune of a nation.

The self-reliance and the brain-grasp characteristic of him are shown by his speeches in the Senate during the too brief period of his labors here.

His impulses were generous, his public spirit broad and deep.

His sympathy for humanity was of that nature which was not limited to ordinary politeness or etiquette, but measured up to a vital relation of life.

His love for his fellow man was something more than a sentiment—it amounted to a principle.

His religion, not a mere spasm, but a habit.

Being new Senators, occupying the back row and adjoining seats, we spent many pleasant moments looking over the Chamber and confiding to each other our impressions of our various colleagues. The veterans have not everything their own way. They can not deny to the novices the privilege of quiet, confidential, and good-natured comment of a personal nature. We took some delight in that pastime, and enjoyed the survey of the membership between ourselves. Sometimes we would liken the Senate to the famous school at Athens, in which Socrates was the first teacher. He was succeeded by Plato, and we would imagine one of the veterans of the Senate to be this autocratic successor of Socrates, clad in his purple robes, in charge of the school, at a time when Athens thrilled with thought and feeling. Then we would speculate who his successor would be. This school was conducted under the shade of the trees and vines and the pupils reclined on marble benches. We could picture that scene at times when Plato would take charge of the senatorial school and gather his pupils about him. Out of Macedonia came Aristotle, "with all his belongings tied up in a bearskin," to become the pupil of Plato, and subsequently his successor in the conduct of that famous school, when Pericles was delivering those powerful orations and Phidias was carving out of stone figures of exquisite beauty. Who is or is to be the Aristotle in this school? Many a pleasant hour we spent in wanderings and pleasantries of this kind, and I looked forward to the opening of this session with keen delight, in expectation that the attachment which had been so agreeably begun might become closer and stronger throughout our careers here.

It was not to be. The mysteries of life we no more understand than the mysteries of death. It seems about the limit of our knowledge and capacity is, "To do what we can, to do what we ought, and leave hoping and fearing alone." We humbly submit to the final decree, and observe—"Soft as the memory of buried love"—he is no more.

He will be remembered as the courteous gentleman, the kind neighbor, the warm-hearted friend, the ripe scholar, the profound thinker, eloquent orator, great lawyer, and wise statesman.

We can only hope, as we believe, he will experience beyond the grave—

The freer step, the fuller breath,
The wide horizon's grander view,
The sense of life that knows no death,
The life that maketh all things new.

Mr. GUGGENHEIM. Mr. President, I offer the following resolution.

The PRESIDING OFFICER. The Senator from Colorado submits a resolution, which will be read.

The Secretary read the resolution, as follows:

Resolved, That as a further mark of respect to the memory of Mr. ELKINS and Mr. HUGHES, the Senate do now adjourn.

The resolution was unanimously agreed to, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until Monday, February 13, 1911, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, February 11, 1911.

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

RATIFICATION OF CONSTITUTIONAL AMENDMENT.

The SPEAKER. The Chair has had forwarded from the States of Oregon and Montana notifications that each of those States has ratified the proposed constitutional amendment authorizing an income tax. Without objection, the same will be printed in the Journal and in the Record. The Chair hears no objection.

EXECUTIVE OFFICE,
Helena, Mont., February 3, 1911.

SIR: By direction of the Twelfth Legislative Assembly of the State of Montana, I have the honor to transmit the inclosed certified copy of house joint resolution No. 2, ratifying the proposed sixteenth amendment to the Constitution of the United States.

I have the honor to be, sir,
Yours, respectfully,

EDWIN L. NORRIS,
Governor of Montana.

The honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES,
House of Representatives, Washington, D. C.

House joint resolution 2.

Whereas both Houses of the Sixty-first Congress of the United States of America at its first session by a constitutional majority of two-thirds thereof made the following proposition to amend the Constitution of the United States of America in the following words, to wit:

"A joint resolution proposing an amendment to the Constitution of the United States.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution, namely—

"ART. XVI. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States and without regard to any census or enumeration."

Therefore be it

Resolved by the senate and house of representatives of the State of Montana, That the said proposed amendment to the Constitution of the United States of America be, and the same is hereby, ratified by the General Assembly of the State of Montana; and be it further

Resolved, That certified copies of this joint resolution be forwarded by the governor of this State to the Secretary of State at Washington and to the presiding officers of each House of the National Congress.

W. W. McDOWELL, Speaker of the House.
W. R. ALLEN, President of the Senate.

Approved January 31, 1911.

EDWIN L. NORRIS, Governor.

Filed January 31, 1911.

A. N. YODER, Secretary of State.

UNITED STATES OF AMERICA, State of Montana, ss:

I, A. N. Yoder, secretary of state of the State of Montana, do hereby certify that the above is a true and correct copy of house joint resolution No. 2, ratifying the sixteenth amendment to the Constitution of the United States, enacted by the twelfth session of the Legislative Assembly of the State of Montana, and approved by Edwin L. Norris, governor of said State, on the 31st day of January, 1911.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this the 31st day of January, A. D. 1911.

[SEAL.]

A. N. YODER, Secretary of State.

Senate joint resolution 1, ratifying an amendment proposed by the Sixty-first Congress of the United States to the Constitution of the United States of America, designated as Article XVI and relating to an income tax.

Whereas the Sixty-first Congress of the United States of America at its first session begun and holden at Washington, in the District of Columbia, on Monday, the 15th day of March, 1909, by joint resolution proposed an amendment to the Constitution of the United States in words and figures as follows, to wit:

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislatures of three-fourths of the several States, shall be valid in all intents and purposes as part of the Constitution.

"ART. XVI. The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration."

Now, therefore, be it

Resolved by the senate and house of representatives of the State of Oregon, That said amendment to the Constitution of the United States be, and is hereby, ratified; and be it further

Resolved, That certified copies of the foregoing preamble and resolution be forwarded by his excellency the governor of Oregon to the President of the United States, to the Secretary of State of the United States, to the Presiding Officer of the United States Senate, and to the Speaker of the House of Representatives, respectively.

Adopted by the senate January 18, 1911.

BEN SELLING, President of the Senate.

Adopted by the house January 23, 1911.

JOHN P. RUSK, Speaker of the House.

UNITED STATES OF AMERICA, STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, F. W. Benson, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint resolution No. 1 with the original thereof, together with the indorsement thereon, which was adopted by the senate January 18, 1911, adopted by the house January 23, 1911, and filed in the office of the secretary of state of the State of Oregon January 30, 1911, and that it is a correct transcript therefrom and of the whole of such original.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Oreg., this 30th day of January, A. D. 1911.

[SEAL.]

F. W. BENSON, Secretary of State.

JOHN R. KISSINGER.

Mr. PRINCE. Mr. Speaker, I present a conference report (No. 2147) on the bill (S. 7252) granting an annuity to John R. Kissinger.

The conference report and statement are as follows:

CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 7252) granting an annuity to John R. Kissinger, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows:

In lieu of the amount proposed insert:

"One hundred dollars."

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same.

GEO. W. PRINCE,

H. O. YOUNG,

JAMES HAY,

Conferees on the part of the House.

P. J. McCUMBER,

N. B. SCOTT,

JAS. P. TALIAFERRO,

Conferees on the part of the Senate.

STATEMENT.

This bill, as passed by the Senate, proposed to give the beneficiary an annuity of \$125 per month. The Committee on Military Affairs of the House reduced the amount to \$72 per month, which is practically the amount he would have received as pension had the Pension Bureau accepted his total disabilities as due to service. In view of the fact that Congress has granted annuities to the widows of Drs. Carroll and Lazear, one of whom lost his life undergoing experiments for the propagation of yellow-fever germs through the bite of mosquitoes and the other lost his life as the result of his being connected with the service in connection with the yellow-fever experiments, the conferees agreed to make the rate in amendment No. 1 \$100 per month in lieu of the amounts recommended by the respective Houses.

Amendment No. 2 is merely striking out some superfluous language in the bill reciting the fact that beneficiary allowed these experiments to be made on his person, and it in no way affects the character of the legislation.

GEO. W. PRINCE,

H. O. YOUNG,

JAMES HAY,

Conferees on the part of the House.

P. J. McCUMBER,

N. B. SCOTT,

JAS. P. TALIAFERRO,

Conferees on the part of the Senate.

AGRICULTURAL APPROPRIATION BILL.

Mr. SCOTT. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the agricultural appropriation bill (H. R. 31596).

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. GAINES in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the agricultural appropriation bill. When the committee rose there was pending an amendment and a substitute, with a point of order. It was ordered that debate should conclude in 15 minutes on the paragraph and all amendments thereto.

Mr. RUCKER of Missouri. The point of order has not been disposed of.

Mr. SCOTT. There was a point of order which I reserved against the amendment offered by the gentleman from Georgia [Mr. EDWARDS]. I make that point of order and ask that it be ruled upon now.

The CHAIRMAN. Does the gentleman from Kansas want to be heard on the point of order?

Mr. SCOTT. Not at all.

Mr. MACON. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Arkansas.

Mr. MACON. Mr. Chairman, in accordance with the practice and the rules of the House, I insist that the point of order ought not to obtain, for the reason that the paragraph which the gentleman offers his amendment to as a substitute is subject to a point of order. Hence no amendment thereto would be amendable to the point of order made by the gentleman from Kansas, because the original paragraph, being offensive to the rules, and not having had a point of order made against it, makes it, under the rules of the House, in order for an amendment to be offered to the paragraph that would otherwise be offensive to the rule if a point of order had been made against it.

This is an important question, and it is important to the entire Nation, and hence, in passing upon the point of order I hope the Chair will take into consideration every feature connected with it. It is proper and just for the committee to bring in a provision in the bill providing for drainage investigations which ought to be made by the Government, because they are of an interstate character, and hence no one ought to object to this paragraph or the amendments thereto. The particular investigation that I am interested in is that extending from Missouri into Arkansas, known as the St. Francis drainage survey, that has already been entered upon by the Government, as shown by the report on the St. Francis Valley drainage project in Arkansas, which I hold in my hand, made by Arthur G. Morgan, an engineer deputized by the Agricultural Department to make the survey. It sets forth many valuable facts as to why the subject of drainage should be carried on, and I am sure that anyone who will read it will readily understand the great importance of this character of work.

The original paragraph being offensive to the rules of the House, and no point of order having been made against it, certainly the Chair will not hold, and the House will not contend, that it would be now offensive to the rules to offer an amendment thereto that would otherwise be subject to a point of order.

Mr. EDWARDS of Georgia. Mr. Chairman, I would like to be heard, briefly, upon the point of order.

The CHAIRMAN. The Chair will hear the gentleman from Georgia.

Mr. EDWARDS of Georgia. Mr. Chairman, I think under the same authority upon which the Chairman on yesterday overruled the point of order made by the gentleman from Indiana against the amendment offered by the gentleman from South Carolina [Mr. LEVER], authorizing the Department of Agriculture to make investigations on the subject of potash in this country, would apply in this case. I do not believe that under the authorities cited by the gentleman from South Carolina yesterday, all of which are in the Record, and with which the chairman is familiar, and under the ruling of the Chairman on yesterday on that question, that the Chair can hold otherwise than this amendment is in order.

Mr. SCOTT. Mr. Chairman, I will ask unanimous consent that the amendment be again reported, for the information of the committee.

There was no objection, and the Clerk again reported the amendment, as follows:

Strike out all the paragraph, beginning on line 10, page 72, after the words "Drainage investigations," down to and including the word "dollars," on line 17 of page 72, and insert in lieu thereof the following, so that it will read:

"To enable the Secretary of Agriculture to locate, survey, investigate, and report upon the drainage of swamp and other wet lands in the United States, with a view of determining what of such lands are susceptible of drainage, and at what cost per acre, the value and effect of drainage on such lands with respect to the public health and agricultural production, together with reports on existing legislation of the different States on the subject of drainage and operations thereunder, foreign drainage policies and their results, and the relation of the Federal Government to local and State authorities and legislation on drainage; and to prepare plans for the removal of surplus waters by drainage; and for the preparation, printing, illustration, and distribution of reports and bulletins on drainage, including rent and the employment of labor in the city of Washington and elsewhere, and all necessary expenses, \$250,000."

Mr. SCOTT. Mr. Chairman, it seems to me that the amendment broadens the scope of this bureau to an extent that certainly can not be contemplated upon an appropriation bill. The existing language, I think, is warranted by the general

provisions of the law establishing the Department of Agriculture, and I would therefore challenge the proposition that it is subject to a point of order, and that therefore an amendment which might otherwise be challenged is not subject to a point of order.

Mr. MACON. Will the gentleman yield?

Mr. SCOTT. Certainly.

Mr. MACON. I desire to call the attention of the gentleman to the fact that this provision went out of the bill a year ago, I believe it was, on the point of order made by the gentleman from New York, Mr. Perkins, the point of order being sustained by the Chairman at that time.

Mr. SCOTT. Mr. Chairman, I think I remember the precedent which the gentleman from Arkansas cites, and yet I can not believe that a provision such as this, which broadens the work of this office in such a way as to permit it to define the relation of the Federal Government to local and State authorities, to report upon the effect of drainage with respect to the public health, and numerous other provisions of this character, can be held in order under any reasonable construction of that law.

Mr. MANN. Mr. Chairman, my recollection is that the item in the bill is subject to a point of order and has been so held, but the question then is, whether the amendment offered to it presents a new substantive proposition or whether it is a mere enlargement of the proposition covered in the provision in the bill. It seems to be perfectly plain that the amendment offered by the gentleman from Georgia presents a number of new substantive propositions. One is to locate and survey the drainage of swamp lands. That is quite a different thing from investigating and reporting upon the drainage of swamp and wet lands. To locate all of the swamp lands in the United States and survey them is quite a different proposition from merely investigating the subject of the drainage of swamp lands and certainly presents a new substantive proposition. One is to report upon the existing legislation of the different States and foreign drainage policies and their results, and various other things of that kind, all entirely different from the scope of the work contemplated by the provision in the bill:

And to prepare plans for the removal of surplus waters by drainage, and for the preparation, printing, illustration, and distribution of reports and bulletins on drainage.

That, I believe, is already covered in the bill, except as to the plans. There is certainly, I think, a new substantive proposition covered by the amendment proposed by the gentleman not included in the language or the scope of the bill.

Mr. EDWARDS of Georgia. Mr. Chairman, just a word. I am frank to confess this language is much broader than the language which is in the bill, and my purpose was to make it much broader. I do not believe that the language carried in the bill is broad enough, and I do not believe the Bureau of Drainage Investigation, though doing a great work, is doing as effective work as it should do. Now, this is a very important work to this country; it is important to the State of the gentleman from Illinois [Mr. MANN]; it is important to the State of the gentleman from Kansas, chairman of the Committee on Agriculture; it is important to Georgia and to many other States in this Union, and I contend that the work that is being done by the Division of Drainage is being hampered by reason of the narrow language of this bill. It is being hampered further by the small appropriations made for it. It is almost a reflection upon Congress to go down here in the Agricultural Department and find the Drainage Division crowded up in one room, with several people employed there, hampered in their work. This language is purposely made broad in order that the investigations may be made and the reports published for the benefit of the people throughout the country. An adequate sum should be appropriated whereby the work can be done. We want the reports and we want the people to know the result of the work that is being done. I believe this is a great and important matter, and, if it is necessary to be done at all, it ought to be done well. The people of the country ought to be notified through the bulletins and the reports as to the results of the work, so as to get the best benefit from the information derived through these investigations.

The CHAIRMAN. The question is not on the language of the original bill, no point of order having been made, but whether an amendment of this kind is therefore in order. The argument of the gentleman from Georgia [Mr. EDWARDS] seems to the Chair to show that the purpose of the amendment is a considerable enlargement of the scope of the paragraph as contained in the bill. The Chair is well aware, as the committee of course is, that the language of the organic act establishing the Department of Agriculture is exceedingly broad. It provides that the Agricultural Department shall gather data

and distribute that data amongst the people of the United States on matters of agriculture in the broadest and most comprehensive sense of the word. But there must be some limitation; and it seems to the Chair that the Agricultural Department is not under that language authorized to go into such questions as "the relation of the Federal Government to the local and State authorities and legislation on drainage." The Chair therefore sustains the point of order.

Mr. SCOTT. Mr. Chairman, before the debate begins, for which a limitation of 15 minutes has been made, I would like to ask unanimous consent that the time be divided; the gentleman from Arkansas [Mr. ROBINSON] to control eight minutes of that time in support of this amendment, and seven minutes to be controlled by myself.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the 15 minutes debate that has been allowed under order of the committee be controlled by the gentleman from Kansas and the gentleman from Arkansas, eight minutes to be controlled by the gentleman from Arkansas and seven minutes by the gentleman from Kansas. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. ROBINSON. Mr. Chairman, on yesterday I discussed somewhat at length the purpose of this amendment. It is to increase the amount available for drainage investigations and surveys. It is not my purpose at this time to repeat that discussion. I ask the attention of the chairman of the Committee on Agriculture to this statement. I sincerely hope that during the course of this discussion, or at the conclusion, that an agreement may be reached whereby the amount carried in the bill may be materially increased. The importance of this work, as has been stated, can not be overestimated. I desire now to yield to the gentleman from Missouri [Mr. RUCKER] three minutes.

Mr. RUCKER of Missouri. I desire to offer an amendment to the amendment offered by the gentleman from Arkansas [Mr. ROBINSON], by striking out "two hundred and fifty" and inserting "one hundred," so that the amendment will read "one hundred thousand" instead of "two hundred and fifty thousand."

I do this, Mr. Chairman, because I am in favor—

The CHAIRMAN. Will the gentleman state his amendment again?

Mr. RUCKER of Missouri. I propose to strike out "two hundred and fifty" and insert "one hundred."

The CHAIRMAN. Without objection, the Clerk will report the amendment.

The Clerk read as follows:

Strike out "two hundred and fifty" and insert "one hundred," so as to read "\$100,000."

Mr. RUCKER of Missouri. I do this, Mr. Chairman, in the interest of economy, at the same time believing, as I do, that the amendment offered by my friend from Arkansas [Mr. ROBINSON] carries no larger amount probably than ought to be carried, but I fear it is a larger amount than the House is disposed to appropriate for this work at this time. I believe the sum carried in the bill ought to be increased, and that an increase of \$20,000 is a reasonable one. This work is of a character so far-reaching in its nature and so beneficial to the country as a whole that I believe this Congress will be derelict in its duty if it does not consent to this reasonable increase in the appropriation.

Mr. SCOTT. Will my colleague yield for a question?

Mr. RUCKER of Missouri. I will.

Mr. SCOTT. I should like to inquire of the gentleman from Arkansas [Mr. ROBINSON] whether \$100,000 would be an acceptable compromise from his point of view.

Mr. ROBINSON. In view of the amendment offered by the gentleman from Missouri [Mr. RUCKER] and the inquiry of the gentleman from Kansas, the chairman of the committee, I desire to say to him that I will accept that amendment if it is satisfactory to the chairman of the committee.

Mr. RUCKER of Missouri. I hope the gentleman from Kansas, the chairman of the committee, will not resist it.

Mr. SCOTT. Mr. Chairman, if my friend will yield for a very short statement, I will say that it has been the policy of the department and of the committee for many years to maintain the appropriation for the office of drainage survey and of irrigation at the same figure. The committee brought these appropriations in this year, recommending an appropriation of \$80,000 for each. The House on yesterday voted to increase the amount appropriated to the work of irrigation by \$20,000, and since that has been done, and in view of the sentiment that has been developed, I am willing, so far as I am concerned, to accede to the suggestion of my colleague on the committee, the gentleman from Missouri [Mr. RUCKER], and accept \$100,000 as the appropriation in this paragraph.

Mr. RUCKER of Missouri. Now, Mr. Chairman, since the gentleman from Arkansas [Mr. ROBINSON] has generously consented to the amendment offered by me, and the gentleman from Kansas [Mr. SCOTT], chairman of the committee, has waived objection and will consent to it, it is not necessary for me to make the excellent speech I had in mind to deliver this morning, and therefore I yield the floor. [Applause.]

Mr. ROBINSON. Mr. Chairman, I yield one minute to the gentleman from Mississippi [Mr. CANDLER].

[Mr. CANDLER addressed the committee. See Appendix.]

Mr. ROBINSON. Mr. Chairman, I yield one minute to the gentleman from Illinois [Mr. FOSTER].

Mr. FOSTER of Illinois. Mr. Chairman, I am not going to delay the time of the House except to say that I am heartily in favor of this provision in the bill. The question of drainage of swamp and overflowed lands is one of great importance to the people of our country.

There are millions of acres of overflowed and swamp lands that could be drained and then would be as fine land as there is any place in the country. The Secretary of Agriculture, in his report on this subject for 1910, says that more than 9,000,000 acres have been surveyed, at an expense of not to exceed 3 cents per acre.

The Government has wisely expended millions of dollars in the West in reclaiming land that would otherwise be useless, and has so arranged that all the expense will be paid back to the National Treasury. It seems but fair that something more should be done to reclaim the swamp and overflowed lands. In my judgment, there is an important work to be done in helping to secure the proper drainage of these lands.

Mr. GODWIN. Mr. Chairman, I am glad the amendment was agreed to. This provides for an increase of the drainage funds from \$80,000 to \$100,000 which will enable the drainage office to further its work.

I would like to see an amendment increasing the funds for the Office of Public Roads, as I believe these are two of the most important subjects now engaging the minds of our people. But as time is limited, I can only discuss for a few moments the drainage question.

The reclamation of the swamp lands of North Carolina, which is being so strenuously urged by influential men, is of vital importance to every North Carolinian. There are approximately 3,500 square miles of untenable land in North Carolina that could, with very little expense, be converted into the most fertile land of the State. By the drainage of this land almost as much more could be doubled in value, for in many places much of the land adjoining the swamps is too low to be successfully drained by ditches until the swamps themselves are canaled. The Bureau of Drainage Investigation has estimated the reclaimable swamp lands and marine marshes of North Carolina at 5,000 square miles. This land lies largely in the most productive section of the State and prevents the proper development of this section. We must have immediate drainage.

The effect of draining the swamp and overflowed lands upon public health is shown by the decrease of malarial diseases in those States where drainage systems have been established. In Indiana, Illinois, and Iowa the deaths caused by malaria have decreased nearly 40 per cent since the drainage of the overflowed lands in these States. Within the last few years scientists have proved, beyond a doubt, that the mosquito is the most common means by which malaria and other fever diseases are conducted into the human system.

Since the mosquito generates in the swamps, the only way to be rid of them is to drain the land. Moreover, the stagnate water in these swamps is not only a menace to health, but it also prevents the development of the surrounding country.

The Bureau of Drainage Investigation has estimated that the swamp land of North Carolina can be drained at an average cost of \$12 per acre. The value of reclaimed swamp land near Charleston, S. C., which has the same soil as that of eastern North Carolina, has been increased \$75 per acre, thus by an expenditure of only \$30,000,000 the value of our land would be increased \$187,500,000, a net gain of \$157,500,000. The addition of this amount to the value of our real estate is not to be despised. Further, it is absolutely necessary that we obtain some means of supplying our constantly increasing population with food and employment, and there is no better method than by increasing the area of the farm lands. Our forefathers had no need of draining swamp lands, for the West with all its prospects lay open to them, but this westward tide, increased by thousands of immigrants, is now returning, and North Carolina must receive her share. If well cultivated, 100 acres of the reclaimed swamp land will support a family, thus we may easily provide for 25,000 homes. Most of this land, and especially the marine marshes, is well adapted to truck farming on account

of its fertility and its proximity to markets. It will produce vegetables almost as early as States farther South, and, as the cost of transportation to northern markets will be much less, we have an advantage over the other States. Where the reclaimed land is too far from market to be profitable for trucking, it can be utilized for other purposes, being by far the best corn and cotton land in the State. Some of the land can not be completely drained, but this can be made into pastures equal to those of the western plains. By this we see that the drainage of the swamp lands will not only add greatly to the commercial value of the land, but it will upbuild the State and increase the wealth of its citizens.

The drainage of the swamp lands is a public function, but it can not be accomplished on a large scale without cooperation among the landowners, and it is difficult to secure an organization among the farmers without assistance and encouragement. The landowners, the State, and the National Government must each take a part if drainage is to be a successful undertaking. The Government did not hesitate to do its part in irrigating the West, and national drainage is as important as national irrigation. In fact, the reclaimed swamp land is much more fertile than the irrigated plains and can be redeemed at less cost. If the Government is willing to water a desert, it can not refuse to drain the swamps. We do not ask the Government to drain the swamps of North Carolina alone, but we ask that aid be given to every State where the citizens are as willing to assist in the work as those of North Carolina. The Government has made the West the greatest grain-producing region in the world. By a small expenditure a desert has been converted into farms unsurpassed in all the world for their productiveness, and what was formerly an arid waste has become the pride of our Nation.

Chemical analysis of the southern swamp soil and the western irrigated soil shows that the former is 30 per cent more fertile. The products of this land are as essential as those of the West, and the cost of transportation is practically nothing. Thus we have a great advantage over the West, and if the Government has wrought such a change there by furnishing them with water, what could it not accomplish here by removing the surplus water? If the West is now the garden of the Nation, the South would then be the garden of the world, and North Carolina would be the choice spot of that garden.

When I first introduced a bill in the House for the investigation of the feasibility of draining the swamp lands of North Carolina there were some objections, because certain experiments in drainage have failed. These experiments have, for the most part, been conducted on a small scale by private individuals who had no previous knowledge of such work and no advice from a strictly reliable source. It is evident that this work can never be successfully conducted on a small scale, and besides in these experiments the ditches have invariably been dug too shallow and the dikes constructed too narrow. In fact, it is surprising that so difficult a task, attempted without any established precedents to follow and retarded by such serious errors, ever became even a partial success. In Indiana and other States, where the work has been undertaken on a large scale and conducted by experienced men, it has improved the land even beyond expectations. Drainage has been carried on successfully in England, France, Italy, and other European countries. Two-fifths of Holland has been wrested from the sea, and land which was once covered with salt bogs now supports a population of 450 to the square mile.

If the 3,500 square miles of overflowed land in North Carolina were only drained, its taxable value would be greatly and permanently increased, thus repaying for their outlay, the sickly swamps would be rendered sanitary, and it would provide labor for thousands of men. Instead of educating all of our energetic young men for the overcrowded professions we could then teach them agriculture and provide them with productive farms. Herds of cattle would then supersede the roving fox, and corn and cotton would take the place of reeds and undergrowth. The sickly swamps would be converted into beautiful fields traversed by magnificent streams, and the hum of the malaria-infested mosquito hushed by the songs of the birds. Our swamps are the pathway to agricultural wealth and prosperity, but they must be drained before they can be traveled. [Applause.]

The drainage of swamp lands has become an interesting question in North Carolina, and the people I have the honor to represent are much interested in the project. I discussed the reclamation of swamp lands in a speech I delivered in the House about four years ago, when I introduced a resolution calling for surveys of swamp lands, estimates of cost of drainage, effect of drainage on public health and agriculture, foreign drainage policies, and so forth.

For the past four years much has been done in North Carolina looking to the drainage of our swamp lands. I have made two tours of the sixth district, accompanied by experts from the drainage office here, addressing public meetings with a view to encouraging and educating the people in this important work. About three years ago the first drainage convention for our State was organized at Newbern, N. C., and a well-defined and carefully thought out drainage project was then launched. Since that time regular annual conventions have been held and enthusiastically attended by leaders in drainage work. At the first convention a committee was appointed to draft a bill to be presented to our State Legislature. My colleague, Mr. SMALL, of the first North Carolina district, was a member of the committee to draft the bill. Great care was exercised by the committee in presenting a bill to the legislature that would stand the test of the courts. The mistakes in drainage laws of other States were carefully avoided.

This committee from the drainage convention, led by Mr. J. O. Wright, of the United States drainage office, presented the bill to the legislature of 1909, and soon thereafter, with practically no opposition, the same was enacted into law for our State. This law has been upheld by the courts, and other States have since fashioned their drainage laws after ours.

The people of the State now have the drainage of their swamp lands in easy reach. The National Government, the State, and the people to be benefited cooperate in carrying on the great work.

This bill carries an appropriation for the coming year of \$100,000, to be used in making drainage investigations and assisting those who desire to avail themselves of the State law by organizing drainage districts to carry on the work to completion. I hope the day is not far distant when we shall see all the swamp lands in North Carolina properly drained under the provisions of the law and for the many beneficial reasons I have just given. [Applause.]

The CHAIRMAN. Without objection, the amendment will be considered as modified by inserting the amount of "\$100,000."

The question is on agreeing to the amendment as modified.

The question was taken, and the amendment was agreed to.

Mr. FOSTER of Illinois. Mr. Chairman, I desire to offer an amendment to this paragraph.

The CHAIRMAN. The gentleman from Illinois offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert at the end of the paragraph:

"And the Secretary of Agriculture shall make a special report to the next session of Congress, giving the aggregate expenditures under this provision and the areas in the several States and Territories which have been investigated."

Mr. FOSTER of Illinois. This, I will say, Mr. Chairman, is the same provision that was in last year's bill, and the Secretary of Agriculture has reported to Congress on this subject, which I think it is important for us to have information upon, and that is the only reason I offer this amendment. I think it is a good thing to have this report, I will say to the chairman of the committee.

Mr. SCOTT. Mr. Chairman, I will say that the language to which the gentleman from Illinois has called attention, and which he says appeared in last year's bill, was omitted this year at the suggestion of the department, which did not seem to think it was necessary. But the special report called for is a matter of small expense, and if it does contain information of value, I am quite willing to allow the amendment to go in.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will read:

The Clerk read as follows:

OFFICE OF PUBLIC ROADS.

Salaries, Office of Public Roads: One director, who shall be a scientist and have charge of all scientific and technical work, \$4,000; 1 chief clerk, \$1,800; 1 clerk, class 3; 1 clerk, \$1,440; 1 clerk, \$1,320; 2 clerks, at \$1,260 each; 3 clerks, class 1; 1 clerk or photographer, \$1,200; 1 clerk or photographer, \$1,000; 2 clerks, at \$1,140 each; 1 clerk, \$1,080; 1 clerk, \$1,020; 4 clerks, at \$1,000 each; 1 clerk, \$900; 1 instrument maker, \$1,200; 1 messenger or laborer, \$720; 1 messenger or laborer, \$660; 4 messengers or laborers, at \$600 each; 1 messenger boy, \$480; 1 messenger boy, \$360; 2 charwomen, at \$240 each; in all, \$34,060.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I raise a point of order against the paragraph, and particularly against the following parts: Page 72, line 23, "\$4,000;" line 24, "\$1,800;" and line 25, "\$1,440."

Mr. MACON. Mr. Chairman, does the gentleman desire to reserve the point of order?

Mr. MICHAEL E. DRISCOLL. Yes; I reserve the point of order.

Mr. MACON. I shall make it.

Mr. MICHAEL E. DRISCOLL. I may make it before we get through, but I first want to have the matter discussed.

Mr. SCOTT. If the gentlemen will withhold their points of order, I would like to be heard for two minutes. The salary of the Chief of the Office of Public Roads at present is \$3,000. It has been at that sum for five years. It was fixed at a time when the appropriations of the office were about one-quarter what they are now. It is \$1,000 less than the salary paid to the chiefs of other bureaus of equal importance in the department. Furthermore, during the past year the chief of that bureau has invented a process by which, through the mixture of cement with petroleum or some other heavy oil in certain proportions, it is given waterproof and other qualities which it never had before, and which will undoubtedly add enormously to the field of its usefulness. This process has been patented in the name of the public, so that the man who invented it will obtain no pecuniary benefit from it, and yet it is the estimate of competent engineers that if he had patented it as a private individual it would have been worth to himself a million dollars or more. It seems to the committee that the increase asked for in this bill is no more than a fitting recognition of the high sense of honor which prompted Mr. Page to take out this patent in the name of the public instead of resigning, as he might have done, from the Government service and taking it out for his own benefit, as well as a recognition of the very great ability with which the work of this bureau has been carried on. I appeal, therefore, to the gentleman who has made the point or order that, so far as the salary of the chief of the bureau is concerned, it be not pressed.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I reserved this point of order and I intend to insist on it.

Mr. STANLEY. May I ask the gentleman a question?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Kentucky?

Mr. MICHAEL E. DRISCOLL. Just a moment; I reserve the point of order which I intend to make before I get through, not so much because the salaries of these men are increased beyond their earning capacity somewhere else, but as a protest against the prevalent tendency to commit the Government to the construction of ordinary country roads. There are now introduced by Members of this House 25 bills for the construction of good roads by the Federal Government which I have not examined thoroughly at this time. I did, some four years ago, examine something like 18 bills introduced by Members of this House to the same purpose, and I delivered some remarks on that subject at that time. There are in addition two bills providing for the construction of particular roads in the country, and there seems to be throughout the country a propaganda growing up and spreading and striving to commit the Federal Government to the construction of country roads, to which I am eternally opposed.

Now, my colleague, the gentleman from New York, said upon the floor of this House a few days ago that the best roads in the State, and I do not know but he said the best roads in the country, were in the district or county in which he lives. I asked him a question, and he answered that they built these good roads without any assistance, in the form of instruction or in any other way, from the Federal Government. We are building excellent roads in New York without any help from the Federal Government, and we have bonded our State for \$50,000,000, and more will be raised hereafter for that purpose.

Now, I object to the tendency, and the effort that is being made in Congress to commit the Government to the building of ordinary highways, which every State, county, or municipal division should do for itself. When we get through with this I will insist on the point of order. I can not find any authority for any of this paragraph on roads, but whether there is or not in some former law I am not absolutely sure; but I make the point of order against these increases of salaries as new legislation as a protest against what I say is the disposition on the part of this House—

Mr. LEVER. I hope the gentleman will reserve his point of order for a moment.

Mr. MICHAEL E. DRISCOLL. I will reserve it.

Mr. LEVER. The remarks of the gentleman from New York would give the impression that the Chief of the Office of Public Roads in the Department of Agriculture is a leading propagandist in favor of Federal aid for road building in the United States. As a matter of fact, and I think gentlemen of the Agricultural Committee will bear me out in the statement, that Mr. Page himself, before the committee during this session of Congress, said that he was absolutely and unalterably opposed to this propaganda in favor of Federal aid to road building. I call the attention of my friend to the fact that the work of Mr.

Page and his office is, in my judgment, doing more to delay the day when this Congress will be brought face to face with the proposition of Federal aid to roads than anything else being done in this country. It is the one thing that is standing between Congress and the enormous sentiment throughout the country in favor of Federal appropriations for roads, and it seems to me the better policy for the gentleman from New York—

Mr. MICHAEL E. DRISCOLL. Is the gentleman speaking in his own time or in mine?

Mr. LEVER. I thought the gentleman reserved his point of order.

Mr. MICHAEL E. DRISCOLL. All right; I will reserve it until the gentleman finishes what he has to say.

The CHAIRMAN. The time of the gentleman from New York [Mr. MICHAEL E. DRISCOLL] has expired.

Mr. THOMAS of North Carolina. I ask unanimous consent that the gentleman may be allowed to proceed for three minutes.

Mr. MICHAEL E. DRISCOLL. I ask unanimous consent that my time be extended for five minutes, in order that the gentleman from South Carolina [Mr. LEVER] may conclude what he has to say.

There was no objection.

Mr. LEVER. I think the gentleman from New York and myself will agree upon this proposition, that if the work of this department of the Government is doing nothing more than to delay the time when we shall be brought face to face with this proposition of Federal aid to roads, it is a good work; but, as a matter of fact, this department is doing an enormous service in teaching the people of this country how to build roads economically, and it is doing it in a perfectly legitimate way and in accordance with the spirit of the law authorizing this kind of work. I can not say more than the gentleman from Kansas [Mr. SCOTT] has said with reference to this particular gentleman, the chief of this office. There is not a more faithful servant in the Government service than he. There is not a more intelligent servant in the public service than he. There is not a man who has sacrificed more personal interests than he has. He has not had an increase in salary for five years. It is a fact that he is at the head of a most important work in this Government, and it does seem to me that this point of order ought not to be made against him. Let us recognize his great service and self-sacrifice. It is due him and it is due us that this justice be done him.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I do not raise any question but that the gentleman in the Office of Public Roads is doing good service, and if his services would put off indefinitely a concerted effort on the part of the country to commit the Federal Government to the work of the ordinary construction, I would be in favor of raising his salary several times and keeping him in office for life; but I am not convinced that that is a fact. Besides, I do not know who recommended the increase, but the whole provision for this Office of Public Roads last year was only \$21,260. This bill carries an appropriation of \$34,060.

Now, I can not see how that indicates that the director is trying to limit his activities. The whole thing seems to be a disposition to magnify the importance of this office, as every other office in the Federal Government is magnified and made more important by the chiefs and heads of the various bureaus and the officers.

Mr. COCKS of New York. Will the gentleman allow me to say that this one bureau is an exception? This one bureau is continually asked for aid in the way of advice and specifications and general work by those who are seeking to build roads.

Mr. MICHAEL E. DRISCOLL. The appropriation asked for in this bill is 50 per cent larger than it was last year.

Mr. COCKS of New York. Well, it ought to be increased 200 per cent. This is a tremendous country, and there has got to be a very strong demand for information along this line, and the gentleman knows that we in the State of New York have lost a great deal by experimental work.

Mr. MICHAEL E. DRISCOLL. We have been able to use the material that we had there.

Mr. COCKS of New York. We have lost a great deal by experimental work, and I think it ill becomes a Member of Congress from the State of New York to object to this transfusion or transmission of knowledge.

Mr. MICHAEL E. DRISCOLL. I think it ill becomes a Member of Congress from our State, which has built its own roads by taxing its own people, which has dug its canals by its own efforts, which has created its own forest reserve, while other States are demanding that the Federal Government buy their mountain tops—I say that it ill becomes a Representative from New York to say anything which will tend to commit the Fed-

eral Government to the construction of ordinary roads. [Applause.]

Mr. COCKS of New York. All I want is, that this information shall be disseminated and prevent the mistakes that we have made in our road construction.

Mr. MICHAEL E. DRISCOLL. Does the gentleman from New York claim that we have made mistakes in our road building?

Mr. COCKS of New York. Of course we have.

Mr. MICHAEL E. DRISCOLL. Oh, this is only a starter. If you once commit the Federal Government to this you do not know where it will end.

Mr. COCKS of New York. I want all the information in this regard disseminated that is possible.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I make the point of order.

Mr. WILEY. Mr. Chairman, I would like to have the gentleman reserve his point of order; I want to say a word.

Mr. MICHAEL E. DRISCOLL. But the chairman asked me to make the point of order.

Mr. THOMAS of North Carolina. Mr. Chairman, I ask the gentleman to withhold his point of order for a minute.

Mr. MANN. Mr. Chairman, I call for the regular order.

Mr. SCOTT. The gentleman from New York has already announced that no matter what is said in the end, he will make the point of order.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I ask unanimous consent to extend my remarks on this subject in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. STANLEY. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. STANLEY. I rise, Mr. Chairman, to propound a question to the gentleman from New York. I sincerely hope my genial friend from New York will withhold the point of order for five minutes. I am under the impression that he is laboring under a misapprehension with reference to the purpose of this increase.

Mr. MANN. I demand the regular order.

The CHAIRMAN. The gentleman from Illinois demands the regular order. The Chair has already sustained the point of order.

Mr. SCOTT. Mr. Chairman, I offer the following amendment: In line 23 insert the word "three" in place of the word "four."

The amendment was agreed to.

Mr. SCOTT. And in line 24 insert the word "six" instead of the word "eight."

The amendment was agreed to.

Mr. SCOTT. And in line 25 insert the words "thirteen hundred and eighty dollars."

The amendment was agreed to.

The Clerk read as follows:

General expenses, Office of Public Roads: For salaries, and the employment of labor, and rent in the city of Washington and elsewhere, supplies, office fixtures, apparatus, traveling and all other necessary expenses for conducting investigations and experiments, and for collating, reporting, and illustrating the results of same, and for preparing, publishing, and distributing bulletins and reports as follows: *Provided*, That no part of these appropriations shall be expended for the rent or purchase of road-making machinery, except such as may be necessary for field experimental work.

Mr. SCOTT. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read, to correct a typographical error.

The Clerk read as follows:

At the end of line 3, page 74, strike out the colon and in lieu thereof insert a semicolon.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For investigations of the best methods of road making and the best kinds of road-making materials, and for furnishing expert advice on road building and maintenance, \$60,000.

Mr. CANDLER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Page 74, line 9, strike out the word "sixty" and insert in lieu thereof "one hundred."

Mr. CANDLER. Mr. Chairman, my amendment is for the purpose of increasing the appropriation from \$60,000 to \$100,000 for the investigation of the best methods of road building and the best methods and kinds of road-making materials and for furnishing expert advice on road building and maintenance; and in support of this amendment I desire to say that I do not believe there is anything that is of more importance throughout the country at this time than the construction of good roads. The gentleman from New York [Mr. MICHAEL E. DRISCOLL] stated awhile ago that this was only an entering wedge to appropriations by Congress for the purpose of building roads. If it was, I would be the stronger, if possible, for it, but this paragraph is confined to the subjects of investigations and the best method of road making and the best kind of road-making material and for furnishing expert advice on road building and maintenance. Therefore it does not touch the question of the construction of public roads by the National Government itself. That is a question which should have engaged our attention before this time and no doubt will engage the attention of Congress at some time in the future, but it is not the question just now before this House.

The sole question involved in this proposition is as to the appropriation for the purposes mentioned, nothing more and nothing less. If we make an appropriation as to the best methods of road construction and road-making material, we should furnish this bureau with sufficient money at least to make it of substantial benefit throughout the country. When you limit it to \$60,000 for this great Republic, you limit it to an amount that is absolutely inadequate to meet the necessary and natural demands, but if you will give this additional appropriation, while it does not amount to a great deal, still it will add to the amount that is now carried in the bill and will, to the extent of the addition, permit the Director of Public Roads to carry forward these investigations. I do not know whether gentlemen upon the floor of the House have had experience, but I presume they have had experience along this line. In my district in Mississippi I have had occasion to call upon the Director of Public Roads simply for the purpose of securing an expert to make these very identical investigations, and to give advice in regard to the construction of roads.

I have found him ready to respond when possible, but he has been hampered because of the fact that the appropriations are not sufficient. He is ready and willing and anxious to do it, and, as was stated by the gentleman from South Carolina [Mr. LEVER], there is no better, no more efficient, no more energetic and patriotic citizen or public official than the Director of Public Roads, Mr. Logan W. Page. Therefore I ask that this appropriation be increased in order that the services provided in this paragraph may be rendered in different sections of the country, wheresoever it will be for the best interests of the people and wheresoever information can be given that will accomplish good for the development of the purpose for which this bureau was established.

Mr. LANGLEY. How much increase does the gentleman propose?

Mr. CANDLER. Forty thousand dollars. The bill provides for \$60,000, and I ask that it be increased to \$100,000.

Mr. BARTLETT of Georgia. How much did we expend last year?

Mr. CANDLER. I do not remember what the appropriation was last year. I presume they spent all that was carried in the bill, because it was a very limited amount.

Mr. BARTLETT of Georgia. Did the Office of Public Roads ask for more than the committee granted?

Mr. CANDLER. I do not know in reference to that.

Mr. LEVER. The estimates that came to the committee asked for \$60,000.

Mr. BARTLETT of Georgia. And the appropriation last year was \$40,000?

Mr. LEVER. The appropriation last year was \$43,000.

Mr. THOMAS of North Carolina. Does the gentleman know what the estimate was that is made by the chief of the division to the Secretary of Agriculture?

Mr. LEVER. I do not know that.

Mr. CANDLER. My good friend from Georgia will recognize the fact, and we all know, or at least have been advised, that the word has gone down the line that increases are not to be asked for to any very considerable extent. They propose to practice a great deal of so-called economy.

Mr. BARTLETT of Georgia. I did not know that that was manifested in any department but the Post Office Department.

Mr. CANDLER. Well, I would not say it is even manifested much there, although in the Post Office Department it is

true that even some appropriations made by Congress have not been expended, but have been turned back into the Treasury.

Mr. BARTLETT of Georgia. And I would state to the gentleman that it has been suggested economy has not been manifested.

Mr. CANDLER. That is true.

Mr. SCOTT. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto be closed in 5 minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate upon the paragraph and all amendments pending thereto be closed in five minutes. Is there objection?

Mr. HEFLIN. I object, Mr. Chairman.

The CHAIRMAN. Objection is heard.

Mr. SCOTT. Mr. Chairman, I move that debate on this paragraph and all amendments thereto close in 10 minutes.

Mr. STANLEY. Say 15 minutes. I am not objecting, but I would like 10 or 15 minutes.

Mr. SCOTT. Any particular time.

Mr. HEFLIN. I want five minutes.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that all debate close in 10 minutes.

Mr. STANLEY. Fifteen minutes.

Mr. SCOTT. Well, gentlemen of the committee, ask the time to be extended to 15 minutes and I will agree to that.

Mr. STANLEY. And I suggest that that time be divided half and half.

Mr. SCOTT. I will include in the request that the time be divided, eight minutes to be taken by the supporters of the amendment, and seven minutes to be controlled by myself.

The CHAIRMAN. Will the gentleman from Kansas indicate what gentleman is to control the eight minutes?

Mr. SCOTT. I suggest the gentleman who offered the amendment.

The CHAIRMAN. The gentleman from Kansas asks that all debate on the paragraph and all amendments pending thereto be closed in 15 minutes, eight minutes to be controlled by the gentleman from Mississippi and seven by the gentleman from Kansas.

Mr. CANDLER. I would like to suggest that there are three gentlemen on this side of the House who would like to have four minutes each, and I would like to have the privilege of yielding time to them.

Mr. SCOTT. Would two minutes help the gentleman?

Mr. HEFLIN. Yes; and I would be obliged to the gentleman.

Mr. SCOTT. I yield two minutes to the gentleman from Mississippi from my time.

Mr. CANDLER. Out of your seven minutes?

Mr. SCOTT. Out of my seven minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none.

Mr. CANDLER. Mr. Chairman, that gives me 10 minutes in all, and I yield to the gentleman from Alabama [Mr. HEFLIN] four minutes.

Mr. HEFLIN. Mr. Chairman, I am in favor of the amendment offered by the gentleman from Mississippi [Mr. CANDLER], because the \$60,000 provided for in the bill is not sufficient to enable the Director of the Office of Public Roads to render such aid and to give such information as he is called upon to give. It is a fact that this department is unable to respond to the many calls for expert advice on road building, because we do not have a sufficient number of men engaged in this work. If the department had sufficient funds, the number of men necessary to do this work would be employed, and the people all over the country desiring information as to the best methods of building roads would receive it when they want it. Now, they must wait, and wait in many instances just because the Office of Public Roads is absolutely unable to meet the demands made upon it.

Mr. Chairman, the county commissioners and the boards of revenue, who have in charge the construction of public roads in the counties, are seeking information to-day as they never have before. They are seeking the advice of expert road builders, and if we are going to have a Director of Public Roads at all, he ought to be equipped with men and money enough to send men with this expert advice whenever it is asked for. The people of the counties work up a strong sentiment for improving the public roads.

Public meetings are held, and it is often the case that when the county commissioners or boards of revenue call on the Office of Public Roads for a good roads expert they are unable to get him, simply because these expert road men employed in

the department are too few in number to respond to the many calls made for them.

We can make this Office of Public Roads a power for good to the millions of our people who live in the rural districts by making it the mighty agency for carrying to them information—the very best information—that can be had in the world on the matter of material to be used and the best method to be employed in building up the public highways of our country. Mr. Chairman, the farmers of the country would be greatly benefited by this character of information, and the merchants would share their blessings. The value of their property would be greatly enhanced by the improvement of our public roads. Life on the farm would be made more attractive. These men who feed and clothe the world deserve this aid and encouragement at the hands of our Government. Every dollar expended in encouraging road building, every dollar employed to carry expert advice on road construction into the various sections of our country, is a distinct contribution to the welfare, the comfort, and happiness of all the people. [Loud applause.]

Mr. CANDLER. Mr. Chairman, I yield to the gentleman from Texas [Mr. SHEPPARD] four minutes.

Mr. SHEPPARD. Mr. Chairman, I shall support the amendment of the gentleman from Mississippi [Mr. CANDLER], because it will increase the facilities of the Federal Office of Public Roads for the further investigation of the best methods of road making in this country. Considering the meager funds at its disposal this office is rendering conspicuous service to the American people. As is well understood, its functions are confined to the collection and distribution of expert information on the subject of better roads and to the giving of expert instruction. During the last fiscal year this office supervised the construction of over a million square yards of road built at local expense. For every mile of road supervised by this office many more miles are constructed under the influence and example of the Government's labors.

This small increase in the sum to be at the disposal of the National Office of Public Roads is especially justified, because its chief benefit will inure to our rural roads. Let me say that probably 90 per cent of Federal appropriations is expended in the cities, while about 60 per cent comes from the pockets of the farmer. There should be a more liberal apportionment in the interest of rural communities. The cities and the towns are already blessed with good roads, as a rule; the country roads will be especially benefited by the better information and instruction which will result from this appropriation. [Applause.]

The question of good roads presents one of the most vital subjects in the range of human discussion. The final measure of all progress may be found in the rapidity and extensiveness with which the products of human thought and toil are transmitted and interchanged. One of the fundamental problems of a nation's development is the problem of transportation. The supreme test of a country's permanent prosperity lies in the facilities it affords for the interchange of its products and the intercommunication of its citizens. The most neglected phase of the transportation question in America is the improvement of dirt roads. If the man who boasts of the annihilation of space and time by modern methods of transportation should travel one of our ordinary roads in the rainy season, he would find it more suggestive of the truth to speak of the annihilation of the team, the vehicle, and the religion of the driver. [Laughter.] Mud is the chief enemy of civilization. It is the element out of which man was originally made, and it has clung to him ever since. When we speak of the facilities of modern transportation, we have a vision of the fast freight train conquering the distances with amazing ease and think but little of that other vision of the farmer struggling with heavy load and tired team along inferior roads. And yet almost every pound of produce in the cars must first be carried to the railway on wagon roads.

Billions have been expended in the construction of railways, while but comparatively little attention has been given the rural highways, without which the railways would find their occupations gone. If the progress in equipment and construction has cheapened railroad transportation with such marvelous benefit to the country, would it not be equally beneficent to cheapen and to facilitate transportation from the farm to the railway? Nearly all the freight transported annually by American railroads must first be carried to the railways from the farm on common roads.

And yet, under present conditions, the average cost of carriage on common roads is 25 cents per ton per mile—33 times the cost by rail and 100 times the cost by water. In England and France, where good roads have been largely adopted, the average cost per ton-mile of drawing farm produce is about 10

cents; in Belgium, 9½ cents; in mountainous Switzerland, 8 cents; in Italy, 7½ cents; in Germany, 6½ cents. It is figured that of all the common roads in the United States only one-ninth may be said to be improved, one-tenth to be fairly passable, the remaining eight-tenths or more being bad—muddy beyond temperate description in wet weather, dusty beyond endurance in dry. It has been computed that the actual annual loss from poor roads in America is over \$76 for every hundred acres, or between five and six hundred millions for the entire farm area of a million square miles, the loss being equivalent to more than one-tenth of the total home value of the farm products of the Union. Truly, the mud tax is the farmer's highest tax. It is the highest tax of manufacturer and merchant, because their prosperity depends upon the farmer's ability to buy. It is the highest tax of railways and ocean lines, because their tonnage must be drawn on wagon roads from forest, field, and mine. It is the city's highest tax, because the city leans upon the farm. It is the Government's highest tax, because the Government can not exist one hour without the farmer's supporting arm.

Good roads bear so intimate a relation to the general welfare, affecting all the people so equally, and present an enterprise so gigantic in scope—an enterprise whose burdens belong to the public at large and not alone to the farmer—that the State, the most general representative of the people, must lend its aid and counsel. No permanent road system has ever been devised without state aid. The roads erected by the governments of antiquity enabled them to combine the world in an administrative unity. Herodotus, the father of history, describes a great road in Egypt constructed in the reign of Cheops, on which more than 10,000 men were employed for a decade. In Strabo, another early historian, we find that Babylon was paved about 2000 B. C., and that three great roads were built from Babylon to Susa, to Ecbatana, and to Sardis. Along the road from Babylon to Memphis rose the splendid cities of Nineveh, Damascus, Tyre, and Antioch.

The governments of Athens, Thebes, and Sparta, in which rested at different periods the supremacy of Greece, devoted especial attention to the construction and the care of roads. The Carthaginians were scientific road builders and gave to their Roman conquerors the idea of systematic road making. The world is familiar with the roads of Rome, some of which are in use to-day at an age of 2,000 years. The farthest regions of the Roman Empire were connected by a succession of roads. From the wall of Antoninus, in North Britain, in the extreme northwest, to Jerusalem, in the extreme southeast, there was a continuous road, interrupted by less than 100 miles of sea—a road 4,080 Roman, or 3,740 English miles in length. On these roads the Romans traveled easily a hundred miles a day. It was impossible for mere local means to have accomplished these great enterprises.

Perhaps it would be proper to state here that the use of broken stone is the distinguishing feature of modern road making, a feature made prominent by John Loudon Macadam, an expert surveyor and road maker, who first came into notice on account of the roads he had constructed in the vicinity of Bristol in 1820. He is undoubtedly the most celebrated road builder of modern times. His conception of a good road involved, primarily, a dry subsoil, a foundation impervious to rain, not more than 10 or 12 inches thick, and a cover of broken stones. So permanent were his contributions to human happiness and advancement that his name has been adopted in his own and several foreign languages to describe the road of his invention, a name significant of the best character of modern roads. His memory will be applauded when emperors and empires shall have been forgotten.

Good roads will make possible the consolidation of rural schools, for without good roads we can not have good schools, the establishment of central libraries and lecture halls in the country, the development of an active community, life, and spirit. They will destroy the loneliness and monotony that drive young men to seek the glamour of the city and the glitter of the town. Already a majority of the people east of the Mississippi and north of the Ohio and the Potomac are crowded in the cities. It is the saddest sign, the darkest feature, of the age. The fact that the good-roads movement will restore the glory and the attractiveness of the farm makes it of more importance to this Republic than a hundred victories in diplomacy and war. [Applause.] Thank God for the new economic battle cry, "Back to the soil."

Again, by enabling the people to assemble more easily, good roads will deepen, solidify, and enrich the religious life of the community. The prophetic fancy of Isaiah could conceive of no more fitting honor for Omnipotence than a beautiful road when in the Asian wilderness he cried, "Prepare the way of

the Lord, make straight in the desert a highway for our God." [Applause.] But good roads are beneficial in another way. Let us suppose that a young man in the prime and flower of his days resolves to make the fateful offer to the empress of his dreams and requests her company for a drive on one of our ordinary roads. Let us suppose that after a few stammering preliminaries he approaches the question of all questions when suddenly the wheels strike a mudhole and she goes in one direction, he in another. [Laughter.] He might never work up to the point of proposal again. [Laughter.]

Mr. COLE. Does the gentleman speak from experience? [Laughter.]

Mr. SHEPPARD. Most certainly. [Laughter.]

On the other hand, let us assume that they had driven along a splendid macadam road, the graceful stepper straining on the bit as his hoofs ring rapid music from the stone. Another union would have been registered in heaven before they had gotten a mile from town. [Laughter and applause.]

Oh, may this movement for good roads succeed. It is ordained of God. It should be accepted of man, for down these rural highways have come the intellectual Titans of the earth. [Applause.] It is fraught with blessings for God's multitudes. It will bring to the rural home the modern comforts and refinements, and young men will no longer hasten to desert the firesides of their fathers. It will quicken rural life with the pulse beats of modern progress. When this Republic, fashioned in the people's blood, the people's tears, shall have been interlaced with highways everlasting as the roads of Rome, imperishable as the pyramids, when along these mighty roadways the people's homes shall rise in beauty, and aspiring youth shall find in the adornment of the rural home the highest object of ambition and of pride, when these material monuments shall proclaim the advent of universal brotherhood and culture, then, and not till then, will the dreams of the founders have been achieved, a Government of the people in truth established. [Loud applause.]

Mr. CANDLER. Mr. Chairman, I yield one minute to the gentleman from Kentucky [Mr. LANGLEY].

[Mr. LANGLEY addressed the committee. See Appendix.]

Mr. WEEKS. Will the gentleman yield to a question?

Mr. LANGLEY. No; I can not yield.

Mr. WEEKS. I want to find somebody who will yield to a question.

Mr. CANDLER. I hope somebody will yield to the gentleman from Massachusetts, but I have not time to do it. I utilize this opportunity to ask unanimous consent to print my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HEFLIN. Mr. Chairman, I ask unanimous consent for the same purpose.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SHEPPARD. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANDLER. Mr. Chairman, I have, I believe, but a minute remaining. Will the gentleman from Kansas use his time, and I will use my minute in reply.

Mr. SCOTT. I yield two minutes to the gentleman from South Carolina [Mr. LEVER].

Mr. LEVER. I dislike very much to disagree with my genial friend from Mississippi [Mr. CANDLER], but I want to call the attention of my colleagues on this side of the aisle to this situation: In a few months the responsibility for legislation will be shifted from that side of the aisle to this. We have been pledged in our party's platforms to economy in the expenditure of public money. We can not economize if we are going to continue to increase appropriations. I am just as much in sympathy with the work of this Office of Public Roads as my friend from Mississippi, but I want to call his attention to the fact that 17 years ago, when we authorized this work, we appropriated \$10,000 to carry it on. In this bill we carry an appropriation of \$160,760. More than that, the estimates that come to us from the Secretary of the Treasury, approved by the Secretary of Agriculture, call for an appropriation of \$60,000 for this particular purpose. The Committee on Agriculture has given exactly what was asked for, and that is an increase of \$17,000 over last year's appropriation. It does seem to me, therefore, that it is bad legislation; it is a bad beginning for us here, who are about to be charged with the responsibility, to force down the throats of these various departments large sums of money which they have not asked for.

We shall do pretty well if we make up our minds and have the courage to cut down the estimates submitted to us by these departments from time to time.

Mr. SHEPPARD. Why did not the gentleman make the same point against these other increases that have been made here?

The CHAIRMAN. The time of the gentleman from South Carolina has expired. The gentleman from Kansas is recognized.

Mr. SCOTT. I think I am to close the debate on that item. My friend from Mississippi can use what remains of his time now, and then I can follow.

Mr. CANDLER. I offered the amendment, and that entitles me to the privilege of closing.

Mr. SCOTT. I would like to have the opinion of the Chair as to which side is to close. My impression is that the Member in charge of the bill has the right to close.

Mr. CANDLER. And it is my opinion, Mr. Chairman, that the Member who offers an amendment has the right to close on that amendment.

Mr. SCOTT. Will the Chairman be kind enough to rule on that question?

The CHAIRMAN. The Chair will give the chairman of the Committee on Agriculture, in charge of the bill, the opportunity to close.

Mr. BARTLETT of Georgia. Mr. Chairman, I want to quote Rule XIV, paragraph 6. It is immaterial to me who has the right of closing on this matter, but we have a rule on it, Rule XIV, paragraph 6, section 746, of the Manual:

No Member shall speak more than once to the same question without leave of the House, unless he be the mover, proposer, or introducer of the matter pending, in which case he shall be permitted to speak in reply.

Mr. CANDLER. That, Mr. Chairman, seems to settle it.

Mr. SCOTT. That does not answer the question, Mr. Chairman, as to whether I or the gentleman from Mississippi shall have the right to close.

Mr. MANN. That rule does not apply to amendments in the Committee of the Whole at all, and does not pretend to. That applies to matters in the House.

Mr. BARTLETT of Georgia. Mr. Chairman, the gentleman from Illinois makes a reply to my statement. I insist that the rule I have quoted does apply in the Committee of the Whole. I am not concerned in this matter, but I do not like to have that statement of the gentleman go unchallenged.

The CHAIRMAN. It is the observation of the present occupant of the chair that a chairman of committee having charge of a bill has the conclusion on items of the bill under circumstances like the present. The circumstances of the present case suggest two propositions, or two questions, namely, whether the mover of the amendment is the proponent or the Member in charge of the bill. The Chair has ruled, and the Chair recognizes the gentleman from Mississippi [Mr. CANDLER] for one minute.

Mr. CANDLER. I want to emphasize the identical proposition which is included in the amendment I offer. The sole, single, and only proposition which is presented is whether or not you will increase this appropriation from \$60,000 to \$100,000 for the purpose of investigating road-building material and for furnishing expert advice and superintending road building.

Mr. SHEPPARD. The amounts for irrigation and drainage investigation have just been increased.

Mr. CANDLER. You have increased the appropriations for irrigation and drainage investigations, and now let us put public-roads improvement in the same line. My friend from South Carolina [Mr. LEVER] says he believes in economy and that he regrets to differ with me in reference to this proposition. I believe in economy as strongly as does he or anybody else, but I do not believe in economizing along the lines of the development of this great country among the people who take care of the country. [Applause.] If you want to begin economy, let your economy begin at some place where it ought to begin, and not upon the plain citizenship of this country, who are compelled to sustain and support this Government, as is shown by statistics which are familiar to all of us. [Applause.]

As was said by the distinguished gentleman from Alabama [Mr. HEFLIN], there is nothing that is so engaging the attention of the American people at this time, and especially in the Southland, as the construction of public roads. The people engaged in this work need the advice of this Government, and ought to have it, and there ought to be sufficient money appropriated in order that that may be furnished to them. The difficulty has been that while this is a good proposition, the money has not been appropriated in sufficient amounts to furnish the people with the advice and assistance which they desire. [Applause.]

Mr. Chairman, the statistics all show that wherever the public roads have been improved it has resulted in great benefit not only to the people of the country but to the cities and towns as well, and hence improvement of the roads is a matter of the greatest importance to all of the people, and in aiding the construction of the improvement of the public roads we would help and benefit every class of our citizenship. The statistics also show that hauling over the country roads costs upon an average of 23 cents per ton per mile, amounting to the enormous sum of \$432,400,000 annually, and that wherever the public roads have been improved the cost of hauling has been reduced one-half. That means, Mr. Chairman, that if our public roads were improved it would be a saving to the people of this country of practically \$250,000,000 a year. Is not this a question which should receive our serious, careful, and candid consideration? The Government has given to the people rural delivery, the greatest blessing it has ever bestowed upon them. They have and are now enjoying this blessing. So let us now do what we can to help them improve their public roads, and in doing so we will confer upon them another blessing, which is as far-reaching and as important and will be as beneficial in the end as the others which they now possess.

I am glad that this agricultural bill now pending before the House has given larger appropriations to the agricultural interests than the preceding bills. Let us continue to increase the appropriations for the great agricultural interests of this country until the necessities of the country will be met. Let no man stand in the way of a reasonable and honest appropriation which will be beneficial and useful to develop the agricultural interests, because in helping that interest, as I have oftentimes said upon the floor of this House, we will help every other interest throughout our country. I appeal to you, my fellow Members, to stand by me and, within governmental functions, help the masses of the people who contribute so much to sustain the prosperity of the country and who also bear the greatest burdens of this Government. [Great applause.]

Mr. SCOTT. Mr. Chairman, the gentleman from Mississippi [Mr. CANDLER] seems to have been prompted to offer this amendment largely, if not chiefly, by the fact that when he applied for an expert to be sent into his district he was unable to obtain him.

Mr. CANDLER. Will the gentleman yield?

Mr. SCOTT. I can not yield.

Mr. CANDLER. Just a moment. I desire to say that the gentleman's statement is not fair.

Mr. SCOTT. I do not want to be unfair.

Mr. CANDLER. "The gentleman from Mississippi" did not make that statement. He said he had made application for experts and had found difficulty, because of the limited appropriation, in obtaining them sometimes, but that was not his motive in offering the amendment. His motive is to encourage and help road building throughout the country.

Mr. SCOTT. The gentleman is repeating substantially what I said—that he thinks this appropriation ought to be largely increased, for one reason because he found difficulty in obtaining experts when he has wished to have them in his district. I think I am not misquoting the gentleman.

Mr. CANDLER. I hope the chairman of the committee will not misrepresent me—

Mr. SCOTT. Did not the gentleman use it as an argument, that he had been unable to obtain experts when he desired them?

Mr. CANDLER. I used it as an illustration.

Mr. SCOTT. Oh! Then I trust the House will take notice of the fact that the gentleman has merely stated as an illustration certain conditions, from which he appeared to argue that the House would be warranted in increasing this already large appropriation, but which he did not intend should be regarded by the House as an argument. I beg to call attention to the fact that if we intend to make an appropriation large enough to send experts wherever they are asked for, into every congressional district in this country, we shall have to appropriate more nearly \$1,000,000 than \$100,000; and I want to call the attention of the Committee of the Whole also to the fact that we have already increased this appropriation from \$43,000 to \$60,000, and this is only one of the increases that has been made for this bureau. We have increased this item \$17,000, but we have given an increase to the entire bureau of over \$50,000, increasing it in this bill from \$111,000 to over \$160,000.

We have given to the work of this bureau every dollar that, in my judgment, it can economically and effectively expend, and I certainly hope that the House will not agree at this hour to increase this appropriation to an amount more than double that which was estimated for by the department itself.

Mr. EDWARDS of Georgia. Mr. Chairman, I want to say to the gentleman from Kansas that I asked the gentleman from South Carolina, while he was speaking awhile ago, what amount had been estimated upon by the Chief of the Office of Public Roads to the Secretary of Agriculture, and whether or not the estimate as made by the Secretary of Agriculture to the Committee on Agriculture is the same as was estimated by the Chief of the Office of Public Roads.

Mr. SCOTT. I presume the gentleman from South Carolina was unable to answer the question because we are not furnished with the figures presented in the first instance by the chief of the bureau to the Secretary of Agriculture. We have nothing before us but the estimates of the Secretary.

The CHAIRMAN. By order of the House debate on this paragraph and amendments thereto has expired. The question is on the amendment offered by the gentleman from Mississippi.

Mr. DAWSON. Mr. Chairman, may we have the amendment again read?

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk read as follows:

Page 74, line 9, strike out the word "sixty" and insert the words "one hundred," so that it will read "\$100,000."

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. CANDLER) there were 39 ayes and 63 noes.

So the amendment was lost.

Mr. CANDLER. Mr. Chairman, I ask unanimous consent that all those who have spoken on this amendment may have leave to extend remarks in the RECORD.

The CHAIRMAN. The Chair will state to the gentleman that general leave can not be granted in Committee of the Whole.

Mr. CANDLER. I did not ask for general leave; I asked for those who spoke on the amendment.

Mr. MANN. The committee can not grant that.

Mr. HEFLIN. Mr. Chairman, I asked permission a few minutes ago, and so did the gentleman from Texas, to extend remarks in the RECORD, and no objection was made.

The CHAIRMAN. The Chair will say that while the Chair did in that case, instead of separating the two requests, put them together, strictly the Chair was in error. A general grant of permission to extend remarks can not be given in Committee of the Whole.

Mr. CANDLER. Then, Mr. Chairman, I ask unanimous consent to extend remarks in the RECORD.

There was no objection.

Permission to extend remarks in the RECORD was severally granted by unanimous consent to Mr. MORGAN of Oklahoma, Mr. SHEPPARD, and Mr. SLEMP.

Mr. THOMAS of North Carolina. Mr. Chairman, I move to strike out the last word. I do not desire to delay the consideration of the bill for any great length of time. I think, however, it is pertinent to this debate and it would be well for me in the course of the debate to read what was said on the subject of good roads by the chairman of the Committee on Agriculture [Mr. SCOTT] in his most excellent, able, and comprehensive résumé of the work of the Department of Agriculture, on February 2 last, at the beginning of the debate on the Agriculture appropriation bill.

I have made many speeches on the subject of good roads, and do not now wish to take the time of the committee or delay the passage of the bill. I indorse everything that was said by the chairman of the Committee on Agriculture [Mr. SCOTT] in the speech to which I have referred, which is as follows:

OFFICE OF PUBLIC ROADS.

Another of the very striking developments of the past 10 years has been the movement for the improvement of the public highways. It is safe to say that there have been more good-roads conventions held, more good-roads speeches made, more good-roads literature printed, more good-roads legislation enacted, and probably more good roads really built during this period than during all our previous history. And in this great movement the Office of Public Roads in the Department of Agriculture has been "guide, philosopher, and friend." It has tested all sorts of materials, it has supervised the building of half a million dollars' worth of object-lesson roads in 35 States, it has devised plans for road management and maintenance, it has supplied advice in the framing of laws, it has given lectures, it has issued nearly 200 different publications, it has invented methods of treatment whereby iron can be made rust proof and cement waterproof—in a word, it has been tireless and successful in pointing out the wisest way in which to expend the \$80,000,000 which is annually appropriated for the improvement and maintenance of the 2,100,000 miles of public roads in the United States.

[Applause.]

I withdraw the pro forma amendment.

The Clerk read as follows:

For investigations of the chemical and physical character of road materials, \$25,000.

Mr. SLAYDEN. Mr. Chairman, I regret to say that absence on account of illness deprived me of the opportunity of giving a great deal of attention to this bill. I am interested in the construction of roads. I am particularly interested in the construction of good roads throughout the country. I think it is entirely probable that this bureau has done some good and efficient work. I have appealed to it myself from time to time for information touching the question of the construction of highways. It is reasonable to suppose that this bureau has given valuable assistance, because it is an expensive one and employs experts, but what I want to say has nothing to do particularly with the ability of that office to advise as to material or as to the methods of constructing roads. There is no great mystery about it. Capable road engineers abound and reasonably good material is found widely distributed throughout the country.

What I want to say is that gradually in this bill and in that bill, upon this occasion and upon other occasions, the Federal Government is invading the rights of the States, just as in my judgment it is doing it in this paragraph, and gentlemen who profess to be State rights Democrats and gentlemen who profess to be State rights Republicans yield to the temptation of a small appropriation, the small pecuniary advantage that attaches to paragraphs of this kind, and lend their support to these measures. And, then, between times, when not having dangled in front of them an appropriation to blind their reason to the importance of it, they protest against the growth of centralized power and lament the good old days when the dignity of the forty-odd Commonwealths that make up the Union was properly respected everywhere.

This method of assaulting the States—I do not refer to this particular item—is the most dangerous that the States encounter anywhere, and I protest against its being extended or continued.

Mr. STANLEY. Mr. Chairman, I do not yield to the gentleman from Texas [Mr. SLAYDEN] or to any other man in this House in my inveterate, changeless, absolute devotion to the doctrine of State rights. I believe that the States are as indestructible as their union is indissoluble, and I would never favor any legislation that would in any way affect in the remotest degree the inviolate right of any State to be absolutely sovereign in the control of her local affairs. But wherein will you invade the rights of a State by simply giving to that State useful information? If I thought that intelligence, that learning, that improvement in the arts would invade the rights of the States I would abandon it, for I would rather be a slave than a fool.

Mr. SLAYDEN rose.

Mr. STANLEY. Oh, I do not mean that at all as a reproach to the gentleman from Texas.

Mr. SLAYDEN. Oh, I do not suppose the gentleman does and I had not that in mind, but I rose to ask the gentleman if he knew that there are bills now pending here to make large appropriations out of the Public Treasury to construct highways.

Mr. STANLEY. That is exactly what I am coming to. I do not believe there is any great difference between myself and the eminent gentleman from Texas, for whose learning I have great respect, but I want to say this. I am not advocating the building of roads by the Federal Government at this time. I simply wish to call the attention of the committee to this fact, that outside the construction of public highways, we have to-day at the head of this good roads commission a man who is the Edison of road building. We have opportunities here for mastering the science of road building as well as the art. That knowledge can be brought home to the States by the Federal Government. All over this country, in your district and in mine, people are clamoring not for a few thousand dollars to buy stone or cement or gravel or something of that kind, but they are asking for the intelligence of the engineer, not for the modicum of money that the Government might give, and you can not expend money in any better way than by sending men trained in this business to instruct and to supervise the construction of roads paid for by the States. The transportation problem—the problem of good roads—has grown by leaps and bounds. The means which we now possess is but an earnest of that which is coming, of transportation with power and with celerity over the highways, making the good highway the harbinger of learning, the handmaid of commerce, the capstone in the arch of the prosperity and the glory of a great Republic. [Applause.]

Mr. SCOTT. Mr. Chairman, I ask unanimous consent that debate on this paragraph and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection?

There was no objection, and it was so ordered.

Mr. MADDEN. Mr. Chairman, the question of road building depends largely upon the cost. The question of the kind of material to be used will depend upon how much it costs to get it to the place where it is to be used. Any information which the Federal Government may be able to supply with respect to the utility of given materials would have no weight with those who were called upon to pay the bills if the material recommended by the Federal Government were going to cost more than it ought to cost. Every locality within the States decides the question of road building for itself, and that is as it should be. There is no reason why the National Government should enter upon a campaign of road building in any section of the Union. Every State has its own laws, under which it levies assessments from which money can be raised with which to make these improvements, and all of the great States of the Union have already entered upon campaigns of road building, and many of them have most of their highways already constructed of materials found in the locality in which the roads are made. The question of the cost of transportation, of production of materials, will always be taken into account when the community is considering the proposition of building a road.

When the people of a locality are considering a proposition to build a road, the people in the locality where it is to be built are qualified to decide what is the best kind of material to be used, but they do not always use it because it is not always accessible. The question of first cost to the people who pay the bills is always the important question, and although it might be very well understood that crushed stone, granite if you please, mixed with a composition of asphalt well rolled in, either hot or cold, would make the best and the most durable road, that material might be so expensive as to make its use impossible. So the people who want to build a road might decide to use gravel, because gravel can be found in the immediate neighborhood in which the road is to be constructed. So I can see no special benefit to be derived from any information to be disseminated through this Bureau of Good Roads, because it would not matter what its recommendations were if the recommendations were counter to the local interests—

Mr. COOPER of Wisconsin. Will the gentleman permit me a question?

Mr. MADDEN. Certainly.

Mr. COOPER of Wisconsin. It seems that the question of State rights is said to be involved here. Has the gentleman any doubt that under the constitutional provision authorizing the Congress to establish post offices and post roads that Congress can build a road whether a State wants it built or not?

Mr. MADDEN. Oh, I have not any doubt about that, and yet I believe that the States themselves are quite competent to enter upon this enterprise of building roads, and that the responsibility should be with the States.

Mr. BARTLETT of Georgia. Will the gentleman permit a suggestion?

Mr. MADDEN. Certainly.

Mr. BARTLETT of Georgia. But this provision about giving information in regard to the building of roads is not confined to post roads in this bill.

Mr. MADDEN. True, true; and I believe that it is a dangerous step for the Federal Government to take, to expend any money either to build an initial sample road for the information of the community or for the construction of roads longer than the sample road would be.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. COLE. Mr. Chairman, the Committee on Agriculture has taken great interest in this Office of Public Roads, as is evidenced by the increased appropriation. I want to protest here against the objection that was made to the increase of salary of the chief official of this bureau. If there is a man in the public service to-day who is more deserving of an increased salary I have not been informed of that gentleman. Dr. Page has been offered \$15,000 a year in private life. Dr. Cushman, his first assistant, who served for two years without compensation, is now receiving a salary of \$32,000 in private life. It occurs to me that if we want to retain the service of very eminent gentlemen who are qualified for the duties of their office it is incumbent upon the Congress to recognize their qualifications by an occasional increase of salary. I wish to say in regard to the criticism raised by the gentleman from Texas, that this bill is not invading the old doctrine of States' rights; that long prior to the time when that doctrine received a fatal blow in this Nation that the National Government was engaged in the construction of national highways, the national highway across this country known as the Old Nose Pike, which our ancestors followed through Pennsylvania over into Ohio, Indiana, and Missouri and populated the Mississippi Valley,

stands to-day as a condemnation of the policy, both of State and Nation, in their method of building and constructing public roads. Last year I took this route back to Ohio. I found that down through a part of the State of Maryland it was in a proper state of repair, but when we came down to Hancock and started up through the hills on through to Cumberland it was almost impassable. Some half century ago the National Government turned it over to the States and the State government turned over the maintenance of it to the various counties through which it runs. Some of those counties, which may be willing, were unable to build one public highway. Mr. Chairman, the time has come when it is necessary to construct great roads across this continent.

Some States and some localities are not qualified, from a monetary standpoint, to construct those roads, so I say it becomes incumbent upon the National Government in such emergencies to assist the localities not only by means of advice, but in a financial way in the construction of these highways. [Applause.]

Mr. Chairman, I have heard this doctrine of State rights exploited here on numerous occasions, but I am inclined to think that the retort of the gentleman from the State of South Carolina rather expresses the attitude of the South on the subject. He said:

I never permit my views on the subject of State rights to interfere with a Federal appropriation for the State of South Carolina.

[Applause.]

I am not opposed, Mr. Chairman, to this construction of that doctrine. I think it is to the honor and credit of the National Government that since the scourge of war has passed away it has gone into the South to encourage diversified agriculture, to assist in the construction of her highways, and to remove industrial depression and put her on the road to the great prosperity she is now enjoying. Never by my vote upon this floor will I attempt to obstruct the National Government in bringing back the blessings of peace and prosperity to the Southland, even though it does violence to the ancient doctrine of State rights. [Applause.]

Mr. MICHAEL E. DRISCOLL rose.

The CHAIRMAN. For what purpose does the gentleman rise? Debate has been concluded.

Mr. SCOTT. Mr. Chairman, there was an understanding between the gentlemen here when debate was closed that the last five minutes might be divided between the gentleman from New York [Mr. MICHAEL E. DRISCOLL] and the gentleman from Ohio [Mr. COLE]. The gentleman from Ohio [Mr. COLE] has inadvertently run over the time.

The CHAIRMAN. The Chair will state that the committee is now proceeding under the five-minute rule. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

For conducting field experiments and various methods of road construction and maintenance, and investigations concerning various road materials and preparations; for investigating and developing equipment intended for the preparation and application of bituminous and other binders; for the purchase of materials and equipment; for the employment of assistants and labor; for the rental and erection of buildings; such experimental work to be confined as nearly as possible to one point during the fiscal year, \$10,000.

Mr. MADDEN. Mr. Chairman, I reserve a point of order on this paragraph.

The CHAIRMAN. Does the gentleman from Illinois reserve or make the point of order?

Mr. MADDEN. I make it.

The CHAIRMAN. What is the point of order?

Mr. MADDEN. The point is that it is new legislation and not authorized by law. If the gentleman from New York [Mr. MICHAEL E. DRISCOLL], however, would like to speak to this question, I will be glad to reserve the point of order.

Mr. MICHAEL E. DRISCOLL. "The gentleman from New York" does not wish to speak to the point of order.

The CHAIRMAN. The gentleman from New York [Mr. MICHAEL E. DRISCOLL] is recognized for five minutes.

Mr. MICHAEL E. DRISCOLL. The gentleman from Ohio [Mr. COLE] directed the first part of his remarks to me because I raised the point of order against the increase of salaries to some of the officers in the Office of Public Roads. I stated then that I did not make that point of order on account of the fact that they did not earn their salaries, but as a protest against the continuous effort to increase the activities of this Office of Public Roads and the tendency all through the country to force the General Government into the construction of ordinary country roads.

I was very much interested in the speech made by the gentleman from Texas [Mr. SLAYDEN], and also by the gentleman

from Kentucky [Mr. STANLEY]. Since I have been on this floor I have heard many eloquent speeches made against paternalism and against the invasion of State rights, and I hope when the question comes up that these and other gentlemen will reduce it to a practical application and that they will stand by their theories. But, Mr. Chairman, when the proposition comes up by which their States or districts may get some benefit or advantage, then it is a condition and not a theory that confronts them. Then they are human, and they yield to the pleas and petitions of their constituents; then they fling their academic views to the winds and vote for the appropriation, as my friend from Ohio [Mr. COLE] said the gentleman from South Carolina did.

Only a few years ago there was a proposition to commit the Federal Government to fighting yellow fever down in the Gulf States. The gentlemen from Louisiana and other Gulf States were for it strenuously, because it helped them out, whereas most of the gentlemen from Texas were against it, because they said it violated State rights. On another occasion there was a proposition here to irrigate arid lands, and the gentlemen from Texas were in favor of that because they had some arid lands which they wanted irrigated at the national expense. Later on, only last year, there was a proposition here for the General Government to buy and reforest our mountain tops along the Appalachian Range, and some of the Representatives from the old and conservative Commonwealth of Massachusetts were for it, and they defended it under the "general-welfare" clause. By and by, when there comes a proposition to drain the swamps down through some of your States it will be a condition that will confront you.

You will not raise any objection to the invasion of the rights of your States, nor will you talk against paternalism, but you will be for the proposition. For good or ill, and, I think, for ill, Mr. Chairman, the power and jurisdiction of the central government are increasing very rapidly relatively to the power of the several State governments, and those increases are coming in appropriation bills and will continue to grow until the people arise in their might against the growing expenditure of the Federal Government.

Mr. SCOTT. Mr. Chairman, the gentleman from Illinois [Mr. MADDEN] has withheld the point of order. I concede, of course, that this is new legislation, and therefore would be obnoxious to the rule. I feel quite confident, however, that upon consideration of the reasons which induced the committee to insert the provision my friend from Illinois will not insist on his objection.

I do not know how those reasons can be more clearly and succinctly stated than they are in the testimony of Mr. Page himself, the chief of the office. In reply to questions, he said:

What I want to do is this: To make arrangements with the Maryland and District of Columbia authorities for a continuous stretch of road leading out of Washington, so that I can make actual experiments on all of these different kinds of materials that are used as artificial binders now and that I may maintain this stretch of road and keep accurate cost data. As it is now, it is the most difficult thing.

Mr. MADDEN. Will the gentleman yield there? Does Mr. Page say that he wants the authority to maintain the road?

Mr. SCOTT. Exactly.

Mr. MADDEN. And to build the road?

Mr. SCOTT. To build the road.

Mr. MADDEN. And to pay for it out of the Federal Treasury—for the binders?

Mr. SCOTT. Yes. He estimates that the total cost will not exceed \$10,000 for the year.

Now, I continue reading from his testimony:

We get letter after letter asking how much it costs to maintain a road of a certain material and how much it costs to lay it. Now, unless we can get them in actual competition that way and keep accurate cost data we can not accurately answer those questions. And another thing, from an educational standpoint it would be a very good thing. There are a great many road engineers and road builders that come to Washington every year, and they naturally gravitate to the road office, and they want to see different types of road, different types of construction, different types of treatment. Well, I only have to show them what we have here, which is very small in number, and with a road like that to take them out and show them just how this particular kind of material and particular kind of construction looks, and explain to them exactly how it is done, and then show them exactly what it costs, and, most important of all, how to maintain it, is what I want to do.

It seemed to the committee that that was a reasonable proposition; that instead of building or supervising the construction of model roads and sample roads in different parts of the country there should be built here, right close to the city of Washington, a stretch of road in which there could be instituted comparisons as to the value of different binding materials, and the cost of maintenance, and the length of life, and the other important questions involved.

Mr. SLEMP. Mr. Chairman, I am heartily in favor of this amendment, increasing, as it does, the appropriation for investigations of the best methods of road making and the best kinds of road-making materials, and for furnishing expert advice on road building. In my judgment \$40,000 additional is even inadequate for this service, important and valuable as it has proven to be in extending national aid in the great work of road construction, and I should be glad of an opportunity to vote for a greater amount.

The work of the Public Roads Bureau has been of inestimable value to State and other local authorities in many practical ways toward a uniform system of road building. This bureau, by its experiments in road making, by its investigations of the chemical and physical character of road materials, and by the distribution of bulletins and reports, has performed a service that will eventually prove the basis upon which a national system of good roads will be constructed.

In my district in southwestern Virginia, a district rich in virgin soil, in grazing lands, in mineral and other natural resources, and with vast possibilities of material development, this question of good roads is considered one of the most important that could engage our attention, and we take advanced views on the subject. Our people have had demonstrated to them the practicability and value of governmental aid in road building, and they believe that the facilities thus afforded should be increased, while at the same time they themselves have cooperated and are cooperating with local and national authorities to make every portion of that wonderful section accessible from without to those seeking homes in a healthful climate, and to bring nearer, through the medium of good roads, the marts of commerce and trade furnishing a market for their diversified products. The question of transportation with us is a serious problem, which we think can be solved to a great extent by a system of roads built with the most approved materials and by modern methods of construction. And we appreciate what the Department of Agriculture, through the Roads Bureau, is doing to help us, and we would strengthen its hands in every proper way; therefore I shall support the amendment increasing the appropriation for this work from sixty to one hundred thousand dollars.

The small county of Wise, in which I live, has come to the front with a bond issue of \$720,000, and the adjoining county of Lee has bonded itself for over \$300,000, for road construction. Most of these bonds have recently been sold, and surveyors are now at work locating grades and proper thoroughfares through these counties. What we need, and need badly, is the best advice Government experts can give us regarding road material, road construction, and even a good system of auditing accounts, so that mistakes will not be made and the people's money will be used to best advantage. Active cooperation on the part of the Government, as in the past, will be very helpful and greatly appreciated by our people.

Mr. Chairman, while on this subject I want to publicly express my gratitude to the capable and efficient Director of the Office of Public Roads, Mr. Logan Waller Page, for his uniformly courteous and intelligent treatment of me and of the people of my district, with whom he has come in contact in the work of sample road making. He and his well-trained corps of assistants have furnished us with every proper and possible facility, for which we are grateful.

Mr. MADDEN. Before the Chairman rules I would like to say that the proposition of Mr. Page, the Chief of the Good Roads Bureau of the Agricultural Department, is a most preposterous one.

The CHAIRMAN. The Chair is ready to rule.

Mr. MADDEN. I reserve the point of order.

Mr. TILSON. Regular order!

The CHAIRMAN. The regular order is demanded.

Mr. MADDEN. I make the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

Mr. COCKS of New York. Mr. Chairman, I move to insert after line 12 the following amendment. I understand the other proposition has gone out. This is to enable the Government of the United States to become a member of the International Road Congress. I send it to the Clerk's desk to be read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Insert on bottom of page 74 a new paragraph, as follows:

"To enable the United States to become a member of the International Road Congress and to pay the necessary expenses of representation to the same, \$5,000."

The CHAIRMAN. The Chair calls the attention of the gentleman from New York [Mr. COCKS] to the fact that we have not yet reached the bottom of the page.

Mr. COCKS of New York. I ask, then, that I may be permitted to insert it in its place, on line 12, after the language that has been stricken out.

The CHAIRMAN. The Clerk will again read the amendment.

The Clerk again reported the amendment, as follows:

Insert after line 12, page 74, a new paragraph, as follows:

"To enable the United States to become a member of the International Road Congress and to pay the necessary expenses of representation to the same, \$5,000."

Mr. MICHAEL E. DRISCOLL. Mr. Chairman, I make a point of order against the amendment.

Mr. COCKS of New York. Will the gentleman reserve his point of order for a moment?

Mr. MADDEN. I make the point of order.

The CHAIRMAN. The gentleman from Illinois [Mr. MADDEN] makes the point of order against the amendment. The Chair sustains the point of order, and the Clerk will read:

The Clerk read as follows:

For general administrative expenses connected with the above-mentioned lines of investigations and experiments, \$11,700.

Mr. MADDEN. Mr. Chairman, I move to strike out the last word. I was about to say, when the gentleman from New York called for the regular order a few moments ago—

Mr. COCKS of New York. The gentleman from Illinois is mistaken; I did not call for the regular order—

Mr. MADDEN (continuing). That the proposition of the head of the good roads bureau was the most preposterous proposition I had ever heard of. He proposed, through the appropriation contained in the paragraph stricken out on the point of order, to furnish the material to build part of the roads through the District of Columbia and the State of Maryland in order that he might be able to keep a record of the cost of road building, and this was done, as he said, so that he might be able to show engineers coming from various parts of the country the character of roads that could be built by Government officials. I was in Pittsburg about two weeks ago. The county commissioners of Allegheny County requested me to take a ride in the country. There they drove me over 450 miles of roads built by the taxpayers of Allegheny County. These roads were built of various kinds of materials, some of brick, some of macadam, some of concrete; some of macadam, concrete, and asphalt mixed. There was displayed the opportunity of investigating the kinds of road that could be built of these various sorts of material. There the people of Allegheny County gave evidence of their high order of experience in road building. There they displayed the fact that roads can be built by local communities, over which the people of those communities can drive at any season of the year. There they gave evidence that they had intelligence enough and system enough to ascertain the cost of road building. They were able to display the records to show what it cost to build the different kinds of roads.

This same thing exists in various communities throughout the country. Indiana has a system of roads unequalled by any other State in America. The State from which I come, in many of its counties, has roads equal to any to be found anywhere, and they know what these roads cost. They know how durable they are. They know the first cost and the ultimate cost. They have the record of the ease with which a load can be hauled over a road under certain conditions. They can tell whether a load can be hauled with greater ease over an asphalt road than it can over a macadam road. They can tell whether a top dressing of granite is better than a top dressing of gravel. They can tell whether a brick road is better than a macadam road, and they can tell exactly what it costs to build these roads. The information sought to be acquired by Mr. Page, the head of this bureau, is information that is not necessary at all. Every community has the ability to get the information that it requires in the construction of roads which it may order built. The establishment of the authority sought to be conveyed in the paragraph stricken out is a most dangerous precedent. I hope the Federal Government will never be allowed to enter upon any such enterprise.

Mr. COCKS of New York. I hope it will.

Mr. BORLAND. Mr. Chairman, I move to strike out the last word. The gentleman from Illinois [Mr. MADDEN] seems, in his remarks, to attack the whole system and functions of this roads bureau.

Mr. MADDEN. The gentleman is mistaken.

Mr. BORLAND. I am glad to know that I am mistaken, and yet I gathered that from the tenor of the gentleman's remarks.

Mr. SCOTT. Will the gentleman yield to me to make a request that debate on this paragraph and all amendments thereto be closed at the conclusion of the five minutes for which the gentleman from Missouri has been recognized?

Mr. BORLAND. I yield to the gentleman for that purpose.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that debate on the pending paragraph and all amendments thereto conclude in five minutes. Is there objection?

Mr. SMALL. I ask the chairman of the committee to extend that to 10 minutes. I should like to be heard.

Mr. SCOTT. Let us take it on the next paragraph.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BORLAND. I am glad to know that I am mistaken about that, but I want to answer more particularly the statement the gentleman makes in regard to the good roads in Allegheny County, and the fact that they furnish the only national information that we desire on the subject of road building.

Mr. MADDEN. I did not say that.

Mr. BORLAND. I am not at all convinced of that proposition.

Mr. MADDEN. I did not say that was the only information we desired. I said they had information, and every other community has information.

Mr. BORLAND. The gentleman has made his speech.

Mr. MADDEN. I am talking to the gentleman now. The gentleman is attributing to me something that I did not say.

Mr. BORLAND. I withdraw the statement, then. I wish to say, Mr. Chairman, that in the county composing my district, which contains a city of 250,000 people, and where we are permitted to use the dram-shop fund to build roads, we have 264 miles of county roads that are the equal of any in the United States.

I want to say that there is not a dollar needed in my district or my county from any other source for the construction of roads, and yet I realize that there are scarcely 20 counties in the United States that are in the position of Jackson County, Mo., and Allegheny County, Pa. Where good roads are needed the condition of the land and the population is such that the facilities for building roads under those circumstances are not available. It is the function of the National Government to reach down to every farm, to every hamlet, to every foot of soil in this country that can produce an ounce of foodstuff for the advantage of the great centers of population, like Chicago, Pittsburg, and Kansas City. Every good road is of advantage to Kansas City and other commercial centers, and should be paid for by the taxable wealth of Kansas City, Pittsburg, and other great cities as well as the county through which the good roads run. This dissemination of the national information in regard to good roads is for the benefit of the entire country; for those who are gathered in the centers of population as well as those who toil and farm on these hilly farms.

I want to say that where these hilly farms are to be tilled and where the country is to be opened up we can not build the roads of asphalt, as the gentleman from Illinois so eloquently described. They must build of some cheaper kind of material that is available to that section of the country with such facilities and materials as are to be found.

Mr. MICHAEL E. DRISCOLL. Will the gentleman yield?

Mr. BORLAND. Certainly.

Mr. MICHAEL E. DRISCOLL. I want to ask the gentleman if the National Government has the power under the Constitution to build ordinary country roads out in the towns, has it not power to build asphalt pavements in the city?

Mr. BORLAND. The gentleman knows that the power of the Federal Government to build roads is confined to the provision in reference to the post office and post roads. Whether it would extend to cities I very much doubt.

Mr. MICHAEL E. DRISCOLL. They have letter carriers in the city.

Mr. BORLAND. No such question has been raised. There is no question in my mind of the ultimate power of the Federal Government, but we are not discussing here the question of the Federal Government's initiative of road building. We are discussing the benefit to the Nation that can be derived from a good-roads bureau, that can study practically the question of making good roads, not in the territory of high-priced real estate, suburban estates adjacent to enormous centers of population, but in the remote agricultural rural districts from which the food supply comes.

Mr. MADDEN. The item on which I spoke was in relation to the desirability of the bureau to build the roads.

Mr. BORLAND. They are going to build a test road to show the cost and usefulness of various types of road building, a matter entirely within the province of the Federal Government.

The CHAIRMAN. The time has expired, the pro forma amendments are withdrawn, and the Clerk will read.

Mr. COCKS of New York. Mr. Chairman, I ask unanimous consent to print in the RECORD a report of the highway commission of the State of New York.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The matter referred to is as follows:

Forty million dollars, in addition to the \$50,000,000 already authorized, will be needed to complete the State and county systems of improved highways, according to the report of the State highway commission presented to the legislature to-day.

The original fund of \$50,000,000 has been reduced to \$28,000,000, according to the report, and it is estimated that both the State and county systems of new roads will be about 50 per cent completed when the authorized issue of bonds is exhausted.

The commission suggests an amendment to the constitution relative to the annual apportionment of good-roads work, to permit road building to progress in those counties which have already received their equitable apportionment of the proceeds of the sale of bonds, but which are desirous of a further extension of improved highways. There are a number of counties which have availed themselves but slightly of State aid in improving their roads.

As not nearly all the bonds authorized under the \$50,000,000 act have been issued, the passage of an amendment, the commission says, would not in any way increase the cost to the taxpayers of the State.

The enormous traffic of automobiles along State and county highways has necessitated the adoption of a new system of road construction which provides for macadamized highways with a top or binding course of bituminous material. This, it has been found, not only withstands to a most satisfactory degree the motor-vehicle traffic to which it is subjected, but also eliminates the dust nuisance. Under the system of rigid inspection and patrol now in force, the commission says, roads may be maintained at a reasonable annual expenditure.

LAST YEAR'S CONTRACTS.

Contracts awarded in 1910 aggregated 513 miles of State and county highways, at a total contract price of \$6,052,199, and additional expenses incurred in the building of the roads amounted to about \$380,000. Of this amount about \$1,600,000 was contributed by the State, and the remainder consists of moneys raised by highway tax.

"If all the work thus placed under contract were completed at this time," says the commission, "the amount of macadamized roads constructed by State aid would comprise approximately 2,850 miles, of which 1,787 were built during the 10 years preceding January 1, 1909, and the balance during 1909 and 1910."

"While the mileage of highways already macadamized is, of course, small as compared with the enormous total of 80,000 miles in the State, a sufficient amount of improvement has already been completed to form continuous improved roads between many of the principal cities of the State, while by the close of 1911 it is probable that there will be completed a stone highway connecting the two largest cities of the State and extending for 487 miles through the central portion."

These cities are New York and Buffalo, and the road will cost \$1,000,000. This will be the longest continuous State road in any one country in the world.

"Judging from the reports from other States," the report continues, "it would seem that New York now stands at the head in highway improvement work."

"Two-thirds of the total expenditure by the contractor in road construction, where the road is built of local stone, consists of labor charge. Within a period of five years the cost of labor has increased 25 per cent and at the same time labor efficiency has decreased."

Additional reasons for the increased cost of good roads in the State are given by the commission as due to the fact that in response to the universal demands of boards of supervisors roads have been built 16 feet wide instead of 12, and steep grades have been eliminated to permit the hauling of heavy loads the entire length of the road.

"Present traffic conditions, compelling the use of a bituminous binder, also arbitrarily add about \$2,000 per mile to the cost of each road," says the commission, "but this is fully warranted by the decrease in the annual cost of maintenance, and is not a luxury, but a necessity."

"The encouraging feature of road improvement, however, lies in the fact that, notwithstanding these items of increase, the total cost of the work under the commission has been much less than the increases above outlined would indicate, being in the aggregate within the cost of roads of a similar width previously constructed."

The commission declares that the system of letting contracts during the winter season is proving successful not only in aiding in reducing the cost of the work, but also as a means of increasing the annual mileage of completed roads. By April 1, the commission states, it is probable that about 759 miles of new work will be placed under contract.

The report continues:

"The appropriation for maintenance and repair in 1909 was \$1,500,000, of which about \$900,000 was expended in resurfacing and the balance distributed over the remaining 1,600 miles which were not resurfaced. The appropriation in 1910 was \$1,800,000, of which about \$725,000 was expended in resurfacing. The remainder was used for ordinary repairs, patrol system, and oiling of about 2,200 miles of road. This included the oiling of over 1,000 miles at an approximate average cost of \$350 per mile."

"The resurfacing work thus done has placed the roads in such condition that in 1911 very much less need be expended for this item, and the appropriation for which the legislature will be asked, notwithstanding the increased mileage of nearly 500 miles of road to be maintained, will be approximately \$500,000 less than the appropriation required in 1910."

COST OF MAINTENANCE.

"It is impossible to predict for any length of time in the future as to the amount to be required for resurfacing, but it is safe to conclude that not less than \$1,500,000 must annually be appropriated to take care of and protect the millions which the State is putting into road construction."

The commission calls attention to the fact that under the law relative to the abolition of toll bridges in the State a debt is contracted for which no moneys have been appropriated, and this is directly contrary to the provisions of section 35 of the State finance law.

The commission recommends that the law be amended so that a fund might be provided from which a certified abolition of a toll bridge might be paid prior to the time when the commission is directed to certify that the bridge should be abolished.

"A saving of well toward \$1,000,000 was effected by constructing culverts and bridges of reinforced concrete along highways," the report says. "A summary of the work on town highways under the supervision of this department during the past year shows about 400 miles were surfaced with gravel, about 450 miles were surfaced with stone, about 3,400 miles were shored and crowned, and there were about 9,600 culverts and about 790 bridges constructed."

Several plans looking to the extension of certain highways into the heart of the Adirondacks and to the summer resorts at the Thousand Islands are discussed in the report, and the commission sees no objection to their completion.

The Clerk read as follows:

For general administrative expenses connected with the above-mentioned lines of investigations and experiments, \$11,700.

Mr. SCOTT. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Kansas asks that all debate on this paragraph and amendments thereto close in 10 minutes. Is there objection?

There was no objection.

Mr. SMALL. Mr. Chairman, no matter what may have been the intention of the gentleman from New York [Mr. MICHAEL E. DRISCOLL] or of the gentleman from Illinois [Mr. MADDEN], the cause of public roads, as illustrated in the work of the Office of Public Roads, has been prejudiced. There is nothing in this bill as reported by the committee, not even in the paragraph that was stricken out on the point of order made by the gentleman from Illinois, which contemplates this bureau entering upon the work of the construction of public roads. If that question shall arise, it will be in the future. It has not arisen upon any paragraph contained in this bill.

The whole purpose of the Office of Public Roads is experimental and educational, for the purpose of furnishing information to the States and localities throughout the country who are engaged in improving their public highways.

The lecture given by the gentleman from New York to gentlemen from the South, who, he states, have views upon State rights which are pliable and susceptible to be changed when appropriations are involved, it seems to me, is a characterization which is not altogether just. It is true that gentlemen may differ about the interpretation of the Constitution as to the power of Congress in legislation which may come before it, and I doubt not that the gentleman has his views and that he has not always been consistent, and that if the charge of inconsistency lies at the door of other Members it may also lie, on some occasions, at the door of the gentleman from New York. At any rate, the position of the gentleman from New York as the defender of State rights is novel and unique. It is to be hoped his conversion will be permanent.

But I wish to commend here particularly the views expressed by the gentleman from Missouri [Mr. BORLAND] and to protest against the work of this bureau being curtailed. It represents possibly the most important line of work being conducted by the Department of Agriculture. As the gentleman from Missouri well said, while the county of Allegheny, in the State of Pennsylvania, and while the gentleman's own county, in the State of Missouri, and the county of the gentleman from the State of New York may be already provided with macadam and other expensive roads, yet in the great agricultural States—certainly of the South, if not of the West—if they are to have better highways some method must be inaugurated by which substantial roads may be constructed of suitable material, and, if possible, of the material which is readily available in the localities in which the roads are located, and the purpose of this investigation, and, I take it, the main purpose of the Office of Public Roads, is to institute investigations and arrive at conclusions, which may be furnished to these rural sections of the country which are engaged in the work of improving their highways. We have the word of the Director of Public Roads—as appears in the hearings, which was read by the chairman of the committee—who stated that he had frequent inquiries upon this subject, upon the question of the best and the cheapest material for the construction of public roads and the best and the cheapest material for binding, and that he was unable to answer these inquiries, and for this reason that he wished authority to conduct this investigation. I think that the point of order, while it did lie, as held by the chairman, was ill-advised, and that the gentlemen who seek either directly or indirectly to curtail the work of this bureau should, on the contrary, encourage it. [Applause.]

Mr. MONDELL. Mr. Chairman, I sympathize to a certain degree with the views expressed by the gentleman from Missouri [Mr. BORLAND] and the gentleman from North Carolina [Mr. SMALL], but I feel that it is imperative that some one rise here to protest against the centralizing tendencies which are being exhibited on the other side of the House. I would not think

of suggesting that any man's love for the flag is tempered or affected or colored by his love for an appropriation for his district. Far be it from me to make any such suggestion as that. However, I think it is important that in carrying on this very useful work that we, at least on this side of the Chamber, we who are, it appears now, the only champions and defenders of local control and State rights, should protest against the disposition evidenced by certain gentlemen on the other side of the House to consider favorably propositions which invade the jurisdiction of the States and take from the people their local control over their local affairs, provided the proposal is sugar-coated with an appropriation.

Mr. SMALL. Will the gentleman yield?

Mr. MONDELL. I regret that I can not; that I have only five minutes. I am very much in favor of the educational work, of the experimental work, carried on by the department under this bureau. It has been very useful, and it will continue to be useful, and we should be very careful that we do not get beyond the line of experiment and education and embark upon the wide and uncharted sea of governmental undertakings in the building of roads within the Commonwealths of the Union.

Mr. BARTLETT of Georgia. May I interrupt the gentleman, Mr. Chairman?

The CHAIRMAN. Does the gentleman yield?

Mr. MONDELL. So far as the people I represent are concerned, they have such pride in their own Commonwealth that they prefer to build their own roads and to retain them absolutely under their control rather than to have them built by the Federal Government, even though it means larger and juicier appropriations to be used in our communities.

Mr. MICHAEL E. DRISCOLL. Let me suggest to the gentleman that they want to get the money into their own hands and spend it through their own State channels, some of them—do not even want the Government to build the roads.

Mr. BARTLETT of Georgia. May I interrupt the gentleman?

Mr. MONDELL. Yes.

Mr. BARTLETT of Georgia. I want the gentleman to point out in this bill where there is any evidence—

Mr. MONDELL. Not a thing in the bill that is objectionable, but a number of things that gentlemen on that side desire to place in the bill that would have been very objectionable.

Mr. BARTLETT of Georgia. Let the gentleman name one.

Mr. MONDELL. Well, the provision for the building of roads in the States by the Federal Government is one.

Mr. BARTLETT of Georgia. Who offered that amendment?

Mr. MONDELL. I do not know.

Mr. BARTLETT of Georgia. Nobody on this side. The gentleman is conjuring up a man of straw.

Mr. LEVER. Nor on the other side.

Mr. BARTLETT of Georgia. I know of no one in the House who has done that.

Mr. MONDELL. Mr. Chairman, I was informed such an amendment had been offered, and I was not surprised, for gentlemen on that side of the Chamber have often proposed large Federal appropriations for the building of roads. I was simply replying to the gentleman from Missouri and the gentleman from North Carolina, who seem much inclined to flirt with if not actually court Federal appropriations for building roads, but I am glad to know that my good friend the gentleman from Georgia is still a staunch State righter and believer in local self-government and local control as he always has been. I know he agrees with me that we should keep the work of this department within educational lines and within experimental lines, and that we should not, under any circumstances, ask for or tolerate the building of highways through our Commonwealths by the Federal Government—

Mr. BARTLETT of Georgia. Will the gentleman yield?

Mr. MONDELL (continuing). Resulting inevitably in the Federal control over those highways that must come with the Federal building of them.

Mr. BORLAND. Was not the gentleman's Commonwealth built up as a result of the building of the Pacific Railroad—

The CHAIRMAN. The time of the gentleman has expired; all debate has expired. The pro forma amendment will be considered as withdrawn.

The Clerk read as follows:

And not to exceed 10 per cent of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditure on the objects included within the general expenses of such bureau, division, or office, but no more than 10 per cent shall be added to any one item of appropriation except in cases of extraordinary emergency, and then only upon the written order of the Secretary of Agriculture.

Mr. BARTLETT of Georgia. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I do not know whether my friend, the gentleman from Wyoming, was speaking in a Pick-

wickian sense or not, when he referred to me as being a "State righter." However, I do not take umbrage if he meant it in earnest and not in jest, but I believe that the most earnest advocate—and I claim to belong to that number—of the rights of the States can consistently favor the appropriation for these investigations in reference to the building of roads without having any fears that the rights of the States are being invaded. I have taken the position before my own people, sometimes to my political hurt, that I would not vote for any bill that proposed to empower and authorize the Federal Government to go into a State and take absolute control and charge of the building of its roads, and I never will; my own constituents understand my position and views on this subject.

Mr. LAMB. You are right there, and I will stand by that.

Mr. MONDELL. Will the gentleman yield?

Mr. BARTLETT of Georgia. Yes.

Mr. MONDELL. I want to say to the gentleman that my reference to the gentleman as a "State righter," if those are the words I used, was entirely in a complimentary way—

Mr. BARTLETT of Georgia. I thank you.

Mr. MONDELL. And I want to say to the gentleman that I have always understood the gentleman's views to be those he is now expressing, and for which I honor him.

Mr. BARTLETT of Georgia. Mr. Chairman, I have had those views all my life. I have undertaken to express them in my utterances on this floor and to carry them out in my vote on all occasions. I am not, like my friend from Wyoming, a recent convert to such views and therefore manifest the zeal of a new convert on the subject. The gentleman was not heard of as an advocate of State rights until the recent occupant of the White House, Mr. Roosevelt, announced as a doctrine that all the public domain in the West should be reserved for the people and that the water power on the streams on the public domain should be controlled by the General Government, and that such control should not be left to the States.

Mr. MONDELL. Will the gentleman yield?

Mr. BARTLETT of Georgia. Yes.

Mr. MONDELL. I rather regret the gentleman from Georgia felt justified in referring to me as a recent convert in my views, because I have always had the views I now have.

Mr. BARTLETT of Georgia. I withdraw the words "recent convert" and say to the gentleman, "his recent advocacy of State rights." [Laughter and applause.] I will grant him what he asserts; I will take his word that he has always been an earnest advocate of the powers of the States and State rights doctrines; that he has manifested in the last Congress, in the preceding one, and in this Congress great interest in the rights of the States; but the gentleman was careful to not give public utterance in this House to his views upon that subject.

Now, the gentleman from New York and the gentleman from Ohio made some reference to the action of Members from the South in voting for certain measures which carried appropriations. One referred to the matter of our joining with Representatives from New England in passing what is called the bill to purchase the White Mountains and the mountains of the Appalachian Range. That bill was not passed to purchase the Appalachians and the White Mountain Range, but after it was introduced and while it was pending I introduced a resolution that submitted the question to the Committee on the Judiciary of this House to report whether the House had a right to enact such legislation. Although I was pressed by my own constituents and by the strongest political friends in my State to advocate that measure, I refused.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. BARTLETT of Georgia. Mr. Chairman, I ask unanimous consent for five minutes more.

Mr. SCOTT. Mr. Chairman, reserving the right to object, I would like to ask unanimous consent that debate be closed on this paragraph and all amendments thereto in five minutes, to allow the gentleman from Georgia to finish his remarks.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that debate on the paragraph and amendments thereto close in five minutes. Is there objection? [After a pause.] The Chair hears none. The gentleman from Georgia [Mr. BARTLETT] is recognized for five minutes more.

Mr. BARTLETT of Georgia. Mr. Chairman, that bill never passed the House or the Senate. The friends of the project then undertook to authorize the purchase of certain lands situated in the mountains of New England and in the Appalachian country, for the purpose of preserving navigation by reason of the fact that the streams that rise in the mountains and flowed down to the navigable streams carried silt and other impediments that obstructed navigation in the navigable streams. I never even voted for that bill.

I want to say that this act creating the Department of Agriculture authorizes in its broadest terms investigations that relate to agriculture, and I will read the wording of the first section of the bill, as follows:

The general design and duties of which shall be to acquire and diffuse among the people of the United States useful information on subjects connected with agriculture in the most general and comprehensive sense of that word, and to procure and propagate, etc.

Now, when I vote to carry out what has been enacted by Congress—and this was long years ago—for the purpose of acquiring information, I do not violate my views upon the rights of the States. In my judgment, we would not violate the views of the strictest constructionist as of the rights of the States. On the yellow-fever quarantine bill that the gentleman from New York [Mr. MICHAEL E. DRISCOLL] referred to, and which as reported to the House I believed violative of the rights of the States, I made a minority report from the Committee on Interstate and Foreign Commerce. I resisted and defeated the effort to invade the rights of the States by that bill.

The gentlemen upon that side need not be so careful as to what those of us on this side will do in the next House. We will first do what we have been commissioned by the people to do—we will repeal the iniquitous, unconstitutional tariff which you have put upon the statute books, and by which you rob the people every day by the taxes that you exact from them. And we will go further when occasion arises, and will protect and preserve this Government in a constitutional form in spite of the efforts made by your "quondam" leader to establish "new nationalism." If he had succeeded in the elections last fall, half of you who now turn from him would be now following him, and you would be the opportunists that you always have been, and we would now hear little as to State rights. But because he has been defeated you find occasion to cry that you are opposed to "new nationalism" and are in favor of State rights. The real Democratic party and the true Democrats of the South in the future, as in the past, will be found advocating and upholding constitutional government and standing for the preserving of rights of the States from invasion by the Federal Government, whether accompanied by appropriations or not. [Applause on the Democratic side.]

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

And the Secretary of Agriculture is hereby authorized to continue investigations on the cost of food supplies at the farm and to the consumer, and to disseminate the results of such investigations in whatever manner he may deem best.

Mr. STEENERSON. I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota [Mr. STEENERSON] is recognized for five minutes.

Mr. STEENERSON. Mr. Chairman, the appropriations in this bill, amounting to \$15,699,141, are intended to encourage agriculture. I understand that a bill will be reported as soon as we finish consideration of this bill to carry into effect the recent reciprocity agreement with Canada, providing practically for free trade in agricultural products. Canada is the only competitor in the supply of agricultural products that the people of the United States have, and it is the belief of the farmers of my district and the best-informed men in the State that the effect of that measure, if it is to become a law, will reduce the value of products of the State of Minnesota in one year more than the total of appropriations in this bill. It is estimated that it will reduce the value of our grain alone \$20,000,000 per year.

Now, we have heard a great deal of late about encouraging agriculture, about the evil of concentrating the population in the cities, and that we should try and induce the people to go upon the farms. How inconsistent it will be for us, making these large appropriations for the Department of Agriculture upon the idea that it will stimulate and encourage the farmer, to at the same time in the same session enact a law that will do infinitely more damage in one State in one year in the depreciation in the value of its products than the total appropriation in the bill.

It is claimed in the President's message that this is justified on the theory that it will cheapen the cost of living. That I believe to be a delusion, because the most important articles of food are still controlled by the manufacturers. For instance, the flour that the farmer uses he can not make on his farm but has to buy it at the mill, and there still remains a duty on flour of 50 cents a barrel, equivalent to 12 cents a bushel on the wheat that he has to give in exchange for his flour. In other words, he will be paying a protective duty of 12 cents a bushel on his own wheat.

In the same way meats, fresh meat and canned meat, and all varieties of meats are not furnished direct from the farm, but

from the butcher's shop, generally through an agency controlled by the Beef Trust.

Mr. FOCHT. May I ask the gentleman a question?

Mr. STEENERSON. Certainly.

Mr. FOCHT. Does the gentleman from Minnesota believe and assert that there is maintained an artificial price on food products, due to a food trust or to a beef trust or a milling trust? Does the gentleman think that has anything to do with maintaining what is assumed or accepted to be artificial prices at the present time?

Mr. STEENERSON. I certainly believe there is a very large margin of difference between what the farmer gets and what the consumer is obliged to pay.

I yielded to the gentleman from Pennsylvania out of my time, and was answering his question when my time expired.

The CHAIRMAN. What is the desire of the gentleman from Minnesota?

Mr. STEENERSON. I desire extension of time.

Mr. MANN. The request of the gentleman is that his time be extended five minutes.

Mr. BOEHNE. Mr. Chairman, if the gentleman from Minnesota will confine himself to the subject under discussion I shall not object to his continuing; otherwise I shall. I understand the gentleman is discussing reciprocity.

Mr. STEENERSON. I am discussing the paragraph right here before us, pertaining to the investigation of food prices.

The CHAIRMAN. If there is no objection, the gentleman from Minnesota will be allowed to proceed.

There was no objection.

Mr. STEENERSON. Mr. Chairman, the proposition here is as follows:

And the Secretary of Agriculture is hereby authorized to continue investigations on the cost of food supplies at the farm and to the consumer, and to disseminate the results of such investigations in whatever manner he may deem best.

Last year the Secretary of Agriculture did investigate, and I find that he made a report, one of the conclusions of which is:

From the details that have been presented with regard to the increase of the prices of farm products between farmer and consumer, the conclusion is inevitable that the consumer has no well-grounded complaint against the farmer for the prices that he pays.

That is, the farmer does not get any more than he deserves, but the margin between what the ultimate consumer pays and what the farmer gets is stated here as being as high as 50 per cent.

In the hearings before the Committee on Ways and Means that have recently been held it is shown that even on the matter of milk there is a difference often of 200 per cent between what the farmer gets and what the consumer pays, so that the conclusion is inevitable that the combinations of middle men that the gentleman from Pennsylvania referred to do exist and do influence the prices of commodities in this country. That condition is not remedied, but is aggravated, by the proposed legislation to which I referred a moment ago. The result is that we are here appropriating more than \$15,000,000 for the encouragement of agriculture and at the same session it is proposed that we shall pass a measure, not to cheapen the cost of living, but to give the manufacturer of foodstuffs cheaper raw material and thereby increase his profits, already exorbitant.

Cattle are to be free, but meats of all kinds are to continue dutiable, and the same will be the rule in other lines. The American farmer, with his higher-priced land and dearer supplies, will be at a considerable disadvantage in his own market.

It costs the American people upward of \$8 per capita to maintain our Army and Navy and the other branches of the Federal Government, and yet the people across the line are to have the full benefit thereof by admission free to our markets. Is it fair?

If it is our desire to legislate in the interest of cheaper food, instead of taking away the home market of the farmer, which we are about to do, we should devise some way whereby the distribution of these commodities could be carried out without this abnormal profit to the middleman, and that is what this provision in the appropriation bill that we are now considering relates to. I certainly believe that if you carry out the proposition now pending in this House in regard to introducing free commodities from Canada you are going to strike a blow to agriculture that will be felt for many years. The result will be that the farmers of the country are not going to support any protective tariff. They will be joining hands with the Democrats for free trade upon every manufactured article; because, inasmuch as we are to lose the privilege of our home market, we are at a disadvantage with our competitors across the line, for they enjoy very much lower duties upon the things that

they buy and which go into the production of agricultural commodities than we do.

This proposed arrangement is not reciprocity at all as understood by protectionists like Blaine and McKinley, because that did not relate to competitive articles. McKinley was last elected President, in 1900, upon the following tariff platform:

PROTECTION POLICY REAFFIRMED.

We renew our faith in the policy of protection to American labor. In that policy our industries have been established, diversified, and maintained. By protecting the home market, competition has been stimulated and production cheapened. Opportunity to the inventive genius of our people has been secured and wages in every department of labor maintained at high rates—higher now than ever before—and always distinguishing our working people in their better conditions of life from those of any competing country. Enjoying the blessings of the American common school, secure in the right of self-government, and protected in the occupancy of their own markets, their constantly increasing knowledge and skill have enabled them to finally enter the markets of the world.

RECIPROCITY FAVORED.

We favor the associated policy of reciprocity, so directed as to open our markets on favorable terms for what we do not ourselves produce in return for free foreign markets.

This is what McKinley believed in and what he stood for, and is perfectly consistent with protection, and no garbled extracts from his speeches can sustain the claim that he ever changed his mind or his position on this subject.

The papers to-day report the President as saying, in a speech at Springfield, Ill., that—

There was a time when leading Republicans thought that there was no danger of having a tariff higher than necessary to protect any industry. It was thought that if the country was made dependent on manufactures behind the tariff wall the competition between the manufacturers would stimulate the reduction in the cost of production, and thus reduce the price.

But the temptation to combine, by which the price could be controlled and thus the excessive tariff taken advantage of, led to a modification of the protection theory and to a declaration that the protection of any industry ought not to exceed in the tariff imposed more than the difference between the cost of production abroad, the cost of production here, and enough to give a fair profit to the domestic producer or manufacturer.

It is then asserted that the conditions of production and of manufacture in the United States and Canada are substantially the same, and that therefore the limitation on protective duties above indicated justify the removal of the duties contemplated in the agreement. But here is where the argument fails to sustain the conclusion.

The conclusion would be that we should have free trade with Canada both in agricultural products and manufactured goods. If the conditions of production are the same, under this theory there should be no duty, and yet every article of manufacture, from farm implements and machinery down to dressed meat and flour, remains on the dutiable list at rates from 20 to 45 per cent.

Is it not strange that the products of the farm, in which there can be and is no combination or monopoly, is the first to be put on the free list, while the manufactured goods, even down to "secondary food products, partly manufactured," in which there not only can be, but usually is, a combination and monopoly, are to be continued on the dutiable list at high rates?

It appears from this argument that originally, when the protective tariff was adopted, according to economic law, the above measure of protection did not apply, because even where duties were higher than the difference in the cost of production here and abroad domestic production would be so stimulated that home competition would eventually reduce prices to a proper level, but that this law has been modified by the growing facilities for and tendency to monopolistic combinations.

The reasonable conclusion from this is that in no case where there is a probability or even a possibility of combination should the duty exceed this difference. This would require the removal of the tariff on all manufactured goods between here and Canada, but would not justify the removal of any of the duties on farm products at all, because in these there is no possibility of a monopolistic combination among the producers. If the duties are higher than the difference above referred to, no harm will result, for it will only stimulate domestic production and consequent competition until prices reach the proper and reasonable level.

It seems perfectly plain, therefore, that the President in his speech argued himself entirely out of court, and instead of his reasons justifying the free listing of farm products and the retention of duties on manufactured goods, as between here and Canada, they require exactly the reverse; that is, the free listing of manufactures and a duty on farm products.

The President's speech to the corn growers' convention at Columbus, Ohio, yesterday seems to have been convincing, but in the opposite direction from that intended. The farmers immediately resolved that they were opposed to the proposed Canadian agreement.

But it is not true that the cost of production or the conditions of production of farm products here and in Canada are the same. Land is higher in price here, and by reason of higher duties on all manufactured goods here (average 45 per cent as against 25 per cent in Canada), the supplies that the farmer has to buy are dearer. Add to this the amount each citizen pays to support our Government and you have enough to justify most of the duties on farm products now imposed.

There can really be no dispute about the effect of this arrangement upon our prices of farm products in this country. Some claim that "on the whole" they will not be materially lowered, and that there will be a "leveling," and so forth.

The people on the boundary line know just what the difference in price has been in the past, and they are pretty sure they know what it will be if this agreement goes into effect. I will insert in the Record a letter and statement of prices of wheat at Minneapolis, Winnipeg, and Duluth since January 1, 1909. It is explained that wheat in Winnipeg carries with it the milling in transit privilege as far as Fort William, so that to compare Minneapolis prices with Winnipeg you need not add any freight to the Minneapolis price, which puts the wheat relatively in the same position as though it were in Duluth or Minneapolis. This would be for export purposes.

The average difference in price during the last year, according to these quotations, is a fraction over 10½ cents per bushel. Even if the "leveling" that is spoken of by the advocates of reciprocity should take place it would still lower the price between 5 and 6 cents a bushel on wheat.

I know that at Emerson and St. Vincent, on the international boundary, there was during last October a difference of more than 30 cents on flax in favor of the United States, so that farmers in Manitoba hauled their flax long distances to St. Vincent and paid the duty of 25 cents, and still made 6 cents a bushel over what they would have got in the Canadian market.

Great stress is laid upon the advantage to the United States in placing cottonseed oil on the free list of Canada. What is the use to which this cottonseed oil, if imported into Canada, will be put? It is the main ingredient in oleomargarine and other butter substitutes. It will enable the Canadians to make a cheap substitute for the millions of pounds of butter that are now consumed by the laborers employed in the lumber industries and the construction of new railroads, so that the dairy butter so displaced may be exported to the United States to compete with products of our dairies.

I will also print in the Record extracts from the hearings before the Ways and Means Committee containing the statements of Representative HANNA, of North Dakota, and Aaron Jones, of Indiana, as follows:

STATEMENT OF HON. L. B. HANNA, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NORTH DAKOTA.

Mr. HANNA. Mr. Chairman, I would like to say just a word or two, if I might.

The CHAIRMAN. If it is simply to fill in the time, we do not care to hear you. If you have any argument to present, we will hear you.

Mr. HANNA. I do not know that I have any special argument to make.

The CHAIRMAN. I was going to have read this letter, which was presented by your friend, and which he wants read, and if you do not want to say anything in particular we will have the letter read.

Mr. HANNA. I simply wanted, in a general way, to protest against the enactment of this reciprocity treaty.

The CHAIRMAN. Then proceed, if you think it is more important than to have this communication read.

Mr. HANNA. I desire to protest, for the reason that there is not a solitary thing that the State I have the honor to represent produces which, under this proposed treaty, is not put on the free list, wheat, barley, oats, flax, horses, and everything they produce; while on the other hand as soon as a product is manufactured there is a duty put upon it. Now, it hardly seems right to me and to the farmers of the Northwest, through that country up there, that everything they produce should be put upon the free list, that they should be obliged to sell everything that they put upon the market in that way, while on the other hand they must buy the manufactured article with a duty upon it. There is nothing that is going to come down from the Canadian northwest, from that side of the line, that is going to help the farmers of this country, either in the production of butter or eggs or in the raising of wheat or flax or whatever it may be; and I do believe that the enactment of this proposed reciprocity agreement between this country and Canada will be a bad thing for this country.

For years I have always stood for a protective policy in this country, and it would seem to me as though this was the beginning of the end. If one class of people in this country are going to have their products put upon the free list, it can only result, to my mind, in one thing, that it will go all along down the line. Our legislature in the last few days has passed very strong resolutions against the enactment of this proposed reciprocity treaty. I have right here a copy of the daily paper that is published in my home town, Fargo, N. Dak., which shows the price of wheat in Winnipeg, on the other side of the line from us, and the price on this side, and the day this paper was gotten out wheat was worth 12 cents more a bushel on this side of the line than it was on the other side of the line, flax was worth 25 cents a bushel more on this side of the line than on the other side, and barley and oats were worth more in the same proportion. I want to emphatically protest, so far as it lies in my power, against this proposed treaty. I believe that it is a bad thing for our country. The backbone of the Republican Party for all time has been the farmers out upon the farms, and if what protection the farmers have for the products that they raise is going to be taken away from them, it naturally must swing to the

other side, and take off the tariff upon manufactured products. I can hardly understand why the tariff on barley, for instance, should be taken off.

STATEMENT OF AARON JONES, OF SOUTH BEND, IND., REPRESENTING THE NATIONAL GRANGE.

Mr. JONES. Mr. Chairman, I represent the National Grange, and will present this argument on its behalf. We feel that we would be very seriously damaged and wronged by the enactment of this bill.

Mr. MCCALL. Proceed.

Mr. JONES. I do not care to take much of your time, but just a little, so as to get what we want before you. Our organization is composed of the National Grange, with subordinate branches in 30 States. We wish to enter our emphatic protest against the proposed reciprocity agreement with Canada.

I have been a working farmer all my life; have been actively identified with the Grange, or Patrons of Husbandry, for more than 20 years, and was for 8 years master of the National Grange. I have gone among the farmers in every State of the Union, and have met thousands of them at various State and National Grange meetings. I am thoroughly familiar with their views on this and other public questions, and I am here to declare that the farmers of the country are unalterably opposed to the reciprocity bill which you are now considering, and that they believe it would inflict a serious and permanent injury to their industry.

The principle on which the protective policy has been defended during the past 20 years is that all classes and interests of the country should receive equal protection against the competition of foreign products. It was to carry out this principle that the duties on farm products were imposed by the McKinley law and reimposed by the Dingley and Payne tariff acts. Had it not been for the tariff on farm products the protective system would long ago have been abolished.

In view of these facts, which can not be denied, the manifest result of this bill, if it becomes law, will be to abolish all the protection now given the farmers and leave them open to the free competition of products which under existing conditions can be more cheaply grown in Canada than in this country. The advocates of reciprocity do not deny that Canadian farm products will to a large extent displace the produce of our farms; on the contrary, they try to justify the measure by claiming that it will reduce the cost of those products to the consumer. As against this claim, I wish to submit certain facts set forth in the Annual Report of the Secretary of Agriculture for 1910, pages 19-26. As the result of a careful investigation of the increase of prices of farm products in their transfer to the consumer, Secretary Wilson shows that the difference between the price paid the farmer and the cost to the consumer is in many cases from 40 to 50 per cent. For instance, it was found that the poultry grower received only 55.1 per cent of the price paid by the consumer; that the dairyman receives a scant 50 per cent of the price paid for milk; the apple grower, 55.6 per cent; that beef cost the consumer 38 per cent more than the price paid the great slaughtering houses; and other farm produce from 41 to 50 per cent over the original cost. The conclusion of this section of Secretary Wilson's report is:

"From the details that have been presented with regard to the increase of the prices of farm products between farmer and consumer, the conclusion is inevitable that the consumer has no well-grounded complaint against the farmer for the prices that he pays.

"After consideration of the elements of the matter, it is plain that the farmer is not getting an exorbitant price for his products and that the cost of distribution from the time of delivery at destination by the railroad to delivery to the consumer is the feature of the problem of high prices which must present itself to the consumer for treatment."

Mr. BOUTELL. Right there, Mr. Witness, I would like to ask you a question.

Mr. MCCALL. Will you not let him finish before you ask questions?

Mr. BOUTELL. I think my question would come in a little more logically in this connection, if there is no objection.

Mr. MCCALL. Very well.

Mr. BOUTELL. Right on that matter of the cost of distribution, we had a witness here yesterday, representing the farmers of northern New York, and he gave these figures: Price of milk to the farmer, 3 cents, in his county.

Mr. JONES. Yes.

Mr. BOUTELL. Price paid by the consumer in New York, 9 cents, or an advance of 200 per cent; a much greater advance than any of those figures pointed out by the Secretary of Agriculture.

Mr. JONES. Yes; much larger.

Mr. BOUTELL. Now, can you tell what those figures are for milk to the farmer in Indiana, and the amount paid by the consumer, say, in Indianapolis and Chicago?

Mr. JONES. Well, in Chicago it is a little more than 50 per cent on the milk on the milk trains that run from Indiana to Chicago. Now, I understand that this is a generalization of the entire problem. It differs in different sections of the country, as in your New York instance; as in New England.

Mr. BOUTELL. Well, in that New York instance, is that difference of 200 per cent caused by the small price that the farmer gets, or by the relatively larger price paid by the consumer?

Mr. JONES. It arises from two causes; first, the price to the farmer is too low; that is, less than the cost of production.

Mr. BOUTELL. What does the Indiana farmer get for milk?

Mr. JONES. He gets about the same price, about 3 cents.

Mr. BOUTELL. What does the consumer pay now in Chicago?

Mr. JONES. The consumer pays 8 cents in Chicago.

Mr. BOUTELL. It is very nearly, then, the same thing?

Mr. JONES. Yes; very nearly. The milk producers in our State, in the smaller towns, get about 3 cents for their milk, and it retails for 6 and 7 cents, usually 6 cents; an increase of from 50 to 100 per cent. Then I maintain that there are other problems; the problem of transportation, commissions, and exchanges, all enter into this problem of the high cost of farm living, and when it is charged to the farmer it is erroneous and wrong, and places the farmer at a serious disadvantage before the public; and it raises the question before the consumers in the small towns, the men who are working in the factories, and they charge this home to the farmer when it should belong to the other fellows, and it is a serious wrong.

Mr. DWIGHT. Is it not true that the Borden company, with over \$30,000,000 of capital, has to have its percentage?

Mr. JONES. What is that?

Mr. DWIGHT. Is it not true that the Borden company has to make a percentage off of it?

Mr. JONES. That is all right.

Mr. DWIGHT. The farmer has no objection to that?

Mr. JONES. We are willing to receive anything that makes a fair, reasonable profit for us.

Mr. DWIGHT. You are not objecting to that, then?

Mr. JONES. Certainly not. No; it is not the tariff on farm products that is responsible for the high cost of food, but the excessive freight charges of the railways, and the exorbitant profits of the commission houses, wholesale dealers, and retailers, through whose hands farm products must pass to reach the consumer.

I have submitted these facts for the purpose of showing the serious injury to the farming interests that would follow the enactment of this bill. What compensation does this measure offer the farmers for the loss of the very moderate protection now given them? Does it materially reduce the burden of high protective duties which the farmer is compelled to pay on all the manufactured goods he uses? Not at all. The pretended reduction of duties on Canadian manufactured goods is a fraud and a sham. No duty is removed or reduced on Canadian manufactures that will permit of their general importation for use by our farmers.

An attempt has been made to fool the farmer by removing the duty from steel wire and wire fencing. But Canada makes practically no wire and only sold to this country last year about 150,000 pounds, while we exported to Canada more than 9,000,000 pounds. The removal of this duty will not reduce the cost of fence wire in the slightest degree, and the same is true of the other manufactured articles in the reciprocity schedule. Canada is not a manufacturing country in the same sense that the United States, Great Britain, and Germany are, and the few manufactures affected by this bill will not be made cheaper to our people.

And I want to say right here that I have been a lifelong Republican and have supported, from Lincoln down, the policies of that party, believing in protection, and I am wholly unable to comprehend the amazing action of those higher in authority who have been responsible for this reciprocal agreement. Is it possible that they believe that 6,000,000 farmers will tamely submit to free trade in farm products and high tariff for manufactures?

If so, I wish to state here and now that we have come to the parting of the ways. The farmers believe in real reciprocity; that is, for an equal reduction in the tariff on manufactures, and at the same time that the duties on farm products are reduced. They favor an honest revision of the tariff, but they do not believe in revising the tariff on farm products out of existence, while leaving the exorbitant taxes on manufactures untouched.

Years ago, when this matter was up, and the high commission met in Quebec, Gov. Bachevalier and myself were upon the legislative committee of the National Grange, and we went before that commission and presented the argument of the farmers on this side at that time in Quebec. You know that that reciprocity did not prevail, and I am just as sure to-day, if the American people had time to consider, digest, and properly understand this treatment, nobody on earth, or no set of men, could ever pass this act as it is presented to-day. If this bill is intended as an honest measure to reduce the cost of living in the interest of the consumer, why does it impose a tax of 50 cents per barrel on flour while putting wheat on the free list? Why are cattle, sheep, and swine on the free list, while meats, fresh and cured, are taxed 13 cents per pound? Are not the farmers as much entitled to protection as the millers or the great meat packers of Chicago?

Mr. RANDALL of Texas. Is not that in favor of the meat packers, to have cattle on the free list, and meats not on the free list?

Mr. JONES. It has been in their favor.

Mr. RANDALL of Texas. Is not that in their favor?

Mr. JONES. Certainly; and that is why it is put in here.

Mr. RANDALL of Texas. I understood you to say that the legislation was not in their favor.

Mr. JONES. Certainly; why should a beef on the hoof come in free, and if it is slaughtered in Canada come in at an expense of \$10 or \$12? You and I know that the cost of slaughtering is less than 10 per cent of the duties imposed, and it is discriminating against people in this country; and if those who are responsible for the enactment of this measure suppose that the farmers have not discovered all this, they will be finding themselves woefully mistaken. This is not a party measure. The consumers do not eat wheat, or cattle, or sheep; they consume flour and meat. But this bill puts the farmer's products on the free list, and taxes the articles in the form in which they reach the consumer. Do you suppose for one single instant, gentlemen, that the farmers of this country, who have furnished the money, and are to-day furnishing the money for the best market of our manufacturing interests in this country, do not understand this argument? Do you believe that they will tamely submit? No; never.

Mr. UNDERWOOD. Will you let me ask you a question there?

Mr. JONES. Yes.

Mr. UNDERWOOD. If they are not going to submit, are they going to help the Democratic Party pull down the tariff?

Mr. JONES. They would help the devil, before they would allow themselves to be abused by their friends.

Mr. UNDERWOOD. They propose to reduce the duties on manufactured products, then?

Mr. JONES. Certainly, they will do it; and just as sure as this bill becomes law, you cut from under your tariff protection all its support.

Mr. UNDERWOOD. That is good.

Mr. JONES. And the men who make the law—the men who vote upon this law—will be held responsible for it, more than parties.

Now, gentlemen, I trust that there will be no misunderstanding as to the position of the farmers in this matter. They believe that they are entitled to exactly the same measure of protection as the manufacturers. We can not get it on what we export, but we can keep the other fellows out. They are not now receiving equal protection, and the pending measure proposes to make the discrimination against them still more unjust by establishing, to all intents and purposes, free trade in farm products, while making no reduction of duties on manufactures that will decrease the cost to the farmer.

Mr. RANDALL of Texas. Your idea is to keep the farmer's products out, so that they will not compete with you?

Mr. JONES. How is that?

Mr. RANDALL of Texas. It is your idea to keep the farm products from Canada from coming in here so that they will not compete with you?

Mr. JONES. No, sir; let them pay for our market. They live in a country where they have cheaper lands, cheaper taxes, and less cost for labor. We are supporting an entirely different condition of things, and let them pay for our market. That is what they ought to do; the same as every foreigner; if he wants to come in, let him throw out the Stars and Stripes, and let them float over that country, and then he can come in, and we are perfectly willing to let him.

Against this proposition we earnestly protest, and we insist that there shall be no free trade for the farmers and high tariff for the manufacturers, but that if farm products go on the free list, manufactured articles must also be made free, and they will, inside of a very short time.

I also insert a letter and statement by Washburn-Crosby Co., of Minneapolis, relating to price of wheat in Canada and the United States during the last year, as follows:

WASHBURN-CROSBY CO.,
Minneapolis, Minn., February 3, 1911.

HON. FREDERICK C. STEVENS,
Washington, D. C.

MY DEAR MR. STEVENS: Again referring to your letter of the 28th to Mr. Bell and to our letter of February 2, we now attach the Winnipeg and Minneapolis closing prices from January, 1909, down to date.

Please understand that the Winnipeg price is really the price f. o. b. Fort William, for the Winnipeg price carries with it the milling in transit privilege as far as Fort William, so that to compare Minneapolis with Winnipeg you do not need to add any freight to the Winnipeg price for the f. o. b. Minneapolis price, and puts wheat in relatively the same position as though it were at Duluth or Minneapolis. This, you see, enables you to take the difference as given here as representing the Canadian wheat and the United States wheat at relatively the same port. This would show you that our United States farmers would be put to considerable disadvantage if the duty were removed.

Very truly, yours,
CHARLES C. BOVEY.

Date. ¹	Winnipeg closing price 1 ^c .	Minneapolis closing price 1 ^c .	Over or under.
1909.			
July 10.....	131½	130½	1½
July 17.....	131½	131½	0
July 24.....	125	126½	1½
July 31.....	119	132	13
Aug. 9.....	112	128	16
Aug. 14.....	110	143	33
Aug. 21.....	111	132½	21½
Aug. 28.....	97	99½	2½
Sept. 4.....	97	99½	2½
Sept. 11.....	98½	99½	1½
Sept. 18.....	98	98½	½
Sept. 25.....	94½	100½	5½
Oct. 2.....	95½	100½	5½
Oct. 9.....	97½	101½	4
Oct. 16.....	98½	105½	7
Oct. 23.....	96½	104½	8½
Oct. 30.....	97½	105½	7½
Nov. 6.....	97	102½	5½
Nov. 13.....	97½	106½	8½
Nov. 20.....	98½	105½	7½
Nov. 27.....	99½	105½	6
Dec. 4.....	95	112½	17½
Dec. 11.....	96½	112½	16
Dec. 18.....	102½	114½	12½
Dec. 25.....	(²)		
1910.			
Jan. 1.....	(²)	105	105
Jan. 8.....		103½	9½
Jan. 15.....		103½	10½
Jan. 22.....		103½	10½
Jan. 29.....		103½	10½
Feb. 5.....		101½	9½
Feb. 12.....		102	
Feb. 19.....		102½	12½
Feb. 26.....		103	11½
Mar. 5.....		102½	10½
Mar. 12.....		104½	10½
Mar. 19.....		105½	8½
Mar. 26.....		105½	10½
Apr. 2.....		105½	9½
Apr. 9.....		104½	8½
Apr. 16.....		101½	6½
Apr. 23.....		101½	9½
Apr. 30.....		98½	10½
May 7.....	(²)	113½	
May 14.....		98½	13½
May 21.....		94½	15½
May 28.....		88½	15½
June 4.....		88½	17½
June 11.....		89½	15½
June 18.....		91½	15½
June 25.....		95½	16½
July 2.....	(²)		
July 9.....		108	12½
July 16.....		116½	13½
July 23.....		116½	9½
July 30.....		108½	12½
Aug. 6.....		108½	12½
Aug. 13.....		111½	1½
Aug. 20.....		106½	3½
Aug. 27.....		108½	4½
Sept. 3.....		105½	7½
Sept. 10.....		102	9½
Sept. 17.....		100	11½
Sept. 24.....		101	11½
Oct. 1.....		98½	11½
Oct. 8.....		99	12½
Oct. 15.....		97	10½
Oct. 22.....		94½	9½
Oct. 29.....		91½	11
Nov. 5.....		90½	11½
Nov. 12.....		91½	12
Nov. 19.....		94½	10½
Nov. 26.....		92½	9½
Dec. 3.....		91	13½

¹ The day cited in each case is Saturday.

² Holiday.

Date.	Winnipeg closing price 1 ^c .	Minneapolis closing price 1 ^c .	Over or under.
1910.			
Dec. 10.....	89½	101½	12½
Dec. 17.....	90½	101½	11½
Dec. 24.....	(¹)	103½	
Dec. 31.....	91½	103½	12½
1911.			
Jan. 7.....	93½	108½	14½
Jan. 14.....	95½	108½	12½
Jan. 21.....	94½	104½	10½
Jan. 28.....	94½	103½	9½

¹ Holiday.

Average, a fraction over 10½ cents, Minneapolis and Winnipeg price.

Also the following protest against the proposed amendment of reciprocity between the United States and Canada:

CARTHAGE BOARD OF TRADE,
Carthage, N. Y., February 2, 1911.

To the Congress of the United States of America:

The Carthage Board of Trade, of the village of Carthage, N. Y., hereby protests against the approval by the Congress of the proposed agreement of reciprocity between the United States and Canada as presented for consideration by the President January 26, 1911, and presents its reasons for opposing the adoption of said agreement.

presents its reasons for opposing the adoption of said agreement.

The people of northern New York, located as they are along the borders of Canada, feel more immediately the effect of any commercial agreements affecting trade between Canada and the United States than more remotely situated parts of the country. We view with alarm the effect of the proposed agreement upon the industrial life and prosperity of ourselves and of the whole country. The principal industry of northern New York, and for that matter, of the country, is agriculture, while the principal manufacturing industry of northern New York is the paper industry. As this agreement proposes free trade in the products of our two most important industries, it is apparent that the blow of the agreement falls immediately and directly upon the people of northern New York.

The farmers of the United States have had the benefit of a protective tariff for many years, and they have been free from Canadian competition, and yet in the East for the last 20 years farmers have not been prosperous, but farm values for many years steadily decreased because of the opening up and the competition of the great West. As the fertile fields of the West offered such attractive inducements, requiring little or no fertilization, our farmers migrated to the West, and it was impossible for the eastern farmer to compete and prosper. As the western lands have been taken up and future openings to a large degree must depend upon the lands opened up by drainage and irrigation, the tendency for the last few years has been for farm values in the East to increase, while the increased demand for food products has so improved prices that at last farmers in the East may be said to be entering upon an era of prosperity. The telephone, good roads, the automobile, and the rural free delivery of mails have all tended to make farm life more agreeable, so that with increased prices there is a marked disposition to check the movement to the city and for a return to the farm. The reciprocity agreement, if effective, will open up the vast territories of the Canadian northwest, already proving attractive to the American farmer, so that the American farmer in the East and likewise in the West will, upon the adoption of this agreement, pass through a period of depression such as existed in the East while the farms of the West were being taken up, while great value will be added to the Canadian lands at our expense.

The people have been crying out against high cost of living caused by combinations and monopolies to raise prices which they have been led to believe are made possible by too high tariffs under certain schedules. They have been taught that the tariff has been used as a cloak for monopoly. There has been no cry or demand for free trade in agricultural products, nor is there any just feeling that the farmer himself is receiving to-day too large a price for his product. The proposed agreement in nowise affects any trust or combination for the purpose of raising prices.

If the American people would give more attention through their National and State Governments, and through private effort, to the agencies of distribution, the problems of high cost of living would largely be solved. The Beef Trust to a small extent, local conditions to a greater extent, have been responsible for the high prices of meat to the consumer rather than the price which the farmer is paid. When beef sells at from \$9 to \$10 a hundred at wholesale, and is distributed at from 25 to 30 cents a pound at retail, as it was, it is clear that something is wrong with the agency of distribution. The same thing is true in reference to the Milk Trust and milk distribution. The farmer on the average obtains less than 3 cents a quart for his milk, whether it is made into cheese and butter or delivered to the milk agencies, while the consumer pays from 7 to 10 cents a quart, according to location. The effect of manipulation by cold-storage houses has been to change a splendid purpose to a means of keeping up prices to the consumer.

Inefficiency in distribution, combinations in restraint of free distribution, exorbitant express charges and freight rates have more to do with the high price of living than do the original prices paid to the farmer. Without approving the methods of the Standard Oil Co. or the American Sugar Refining Co., they have evidently solved the problem of distribution to such an extent that they are at least efficient in that department of their respective industries and well illustrate what we mean by inefficiency in methods of distribution.

In order to meet the demand for a greater production of food products, caused by our rapid increase in population, agricultural schools have been established, and farmers' sons are attending them in order that they may learn the science of fertilization and production. Already the result is being seen in the improved condition of dairies, the increased output of milk per cow, and in a few years greater productivity of the soil will be the inevitable result.

It is axiomatic to say that the backbone of American life is agriculture, and that upon the prosperity of the farmer depends the prosperity of the country. The injustice of free trade for everything they produce and of tariff upon most everything they consume is apparent. No considerations of patriotism are involved in a proposition to open up the greatest market in the world—the American market—to the free trade of Canada, giving the trade of 90,000,000 people living under a high standard to 8,000,000 people living under a lower standard. To do so, in so far as Canada is able to affect the markets of the United States, would be a direct injury to the people of the United States. If Canada were proposing to unite with and become a part of the United States, sharing in the expenses of our Government and taking on our standards of life, then questions of patriotism might arise and an appeal to patriotism might have some force; but political expediency and the apparent unpopularity of certain schedules of the tariff bill recently passed in some sections of the country furnish no reason why the American farmer should be made the football of political exigency, and the American policy of protection be thrown down as to the American farmer, even though those making the loudest protest are by this proposed agreement being "hoist by their own petard."

The paper industry of the United States is its fifth largest manufacturing industry, and the most important center of that industry is in northern New York. Regardless of the ambiguity of the proposed agreement as to whether it goes into effect as to paper immediately upon adoption or not until provincial restrictions upon the export of pulp wood or wood pulp made from wood taken from Crown lands, the paper industry is severely affected by the threat of present or ultimate free trade in paper with Canada. The cry of the publishers, which has prompted the recent attacks upon the paper industry, has not been based upon facts or upon a due consideration of the true state of the industry. The course of the industry has been so irregular, the prices of paper have been so disturbed, and the initial cost in capital to start a paper mill is so great, that the paper industry as a whole can not be said to have been a prosperous one, and the return upon the investment has been very low, and in many, if not in most instances, practically no return at all. The price of pulp wood in Canada is approximately \$4 a cord less than in the United States, due to freight charges. In other words, we have to pay \$4 a cord more for pulp wood in northern New York than the Canadian mills have to pay. It takes a cord and a half of pulp wood, weighing 6,000 pounds, to make a ton of paper.

There is, therefore, an initial increase in expense of \$6 a ton which must be overcome by increased efficiency, improved methods of production, or the American mills would not be able to-day to compete with the Canadian mills, even with the present duty, while the Canadian mills are able to deliver their paper to the American market for about the same freight-rate charge northern New York mills are compelled to pay. The newspapers of the country are taking a short and narrow view of the situation, and should realize that the paper mills of the United States, instead of being their enemies, are their friends. In recent years it is reported Canadian mills have sold paper to Canadian publishers at a higher price than American publishers similarly situated were paying to American mills, and at the same time have shipped their surplus paper to Chicago, paying the duty, at such a price that Canadian publishers have been able to purchase the same paper from Chicago and reship it to their own plants at a less price than they get it directly from the Canadian mills. The destruction of the paper-making industry of the United States and the driving of it over into Canada would place the American newspaper in time at the mercy of the Canadian manufacturer, provided the proposition is correct, as paper manufacturers believe, that American mills, without the benefit of protection, can not successfully for a long period of time compete with mills which might be erected in Canada.

So far as we are concerned in northern New York, if free trade is to be adopted between Canada and the United States, admitting to our borders, as to agriculture and as to paper, the supply of the country which can best successfully compete against us, it would be far better for us if free trade were adopted as the policy of the whole country, because under the proposed arrangement we will be compelled to stand the competition of Canada as to our main products and pay the higher prices, which we have willingly paid for the benefit of American industry, on products which we do not produce. Because a suit of clothes costs too much is no reason why workers in the sweat shops should be paid less wages, and with a like reasoning, because the methods of distribution of food products in the United States are inefficient is no reason why the farmer, who is only making a fair return, should bear blame of high prices and the whole burden of reduced prices, nor is it any reason why the labor of the United States should be reduced to a lower standard, which would be the undoubted result of a blow at the American farmer, who is at once our greatest producer and consumer.

We therefore urge upon Congress the importance of a full and thorough consideration of this proposed agreement for free trade between the United States and Canada, so suddenly sprung upon the American people, after secret negotiation, to the end that the full consequences of its damaging influence upon the welfare of the farmers of the United States and a great manufacturing industry may be thoroughly felt and understood, and we urge the defeat of the bill to adopt the proposed agreement.

HON. J. G. JONES,
C. W. PRATT,
H. J. CADWELL,
Committee.

I also insert telegrams from National Grange and mass meeting of farmers of St. Vincent, Kittson County, Minn.; also a letter from Henry Feig:

HON. HALVOR STEENERSON,
The Cairo, Washington, D. C.:

The National Grange earnestly protests against Canadian reciprocity bill, which puts farm products on free lists, while making practically no reduction in high tariff on manufactured articles. Bill subjects our farmers to unfair competition of cheap Canadian farm lands, which will materially injure farming industry, will increase farm values in Canada and reduce value of farms in this country. Farmers unanimously opposed to bill.

T. K. BATHELDER,
AARON JONES,
T. C. ATKESON,

Legislative Committee, National Grange, Concord, N. H.

HON. HALVOR STEENERSON,
House of Representatives, Washington, D. C.:

At a mass meeting of the farmers of St. Vincent Township, Kittson County, Minn., the following resolution was passed without any dissenting voice:

"Resolved, That we are unanimously opposed to the ratification of the pending Canadian reciprocity treaty; that we consider it detrimental to our interests; that it will depreciate the value of our land and lower the price of our produce; and instruct our Representative in Congress to work and vote against its passage; that we believe in lower tariff, but object to class legislation."

FARMERS OF ST. VINCENT TOWNSHIP,
By W. J. FORD, Chairman.
R. E. BENNETT, Secretary.

ATWATER, MINN., February 5, 1911.

HON. HALVOR STEENERSON, M. C.,
Washington, D. C.

DEAR MR. STEENERSON: If the Committee on Ways and Means will rush through the treaty legislation, as the chairman seems determined to do without giving the farmers a fair hearing, it will make Democrats of more than half of our hitherto good and loyal Republican farmers. If the treaty is ratified without amendment it will mean a loss of perhaps \$100,000,000 per year to the farmers of the United States. The Northwest will be hit the hardest, as we will feel the influx of cheap Canadian grain more than those farther south, although it will affect them all. You can figure on a loss of at least 5 cents per bushel on wheat, 14 or 15 cents on barley, and 12 to 15 cents on flax; and in Minnesota and the two Dakotas we raise about 80 per cent of the flax of the United States.

This treaty, Mr. STEENERSON, ought to be killed; if not, it will kill the Republican Party. Possibly not forever, but for a good long time, and it ought to, for it is the biggest political and economical blunder ever made by the party.

Kill it if you can, or insist that it be amended by restoring the duties on farm products. I wish you would show this to Mr. PAYNE, so that he would know just how one of the oldest Republican farmers in Minnesota views the late makeshift of our President. Even Frank Day is out in an open letter praising the treaty and congratulating the President. It seems to me we ought "beware of Greeks who bear gifts."

Yours, truly,

HENRY FEIG.

Mr. Day is the chairman of the Minnesota Democratic State Central Committee.

I also insert letter from Cargill Commission Co.:

CARGILL COMMISSION CO.,
GRAIN COMMISSION MERCHANTS,
Duluth, Minn., February 9, 1911.

HON. HALVOR STEENERSON,
Washington, D. C.

DEAR SIR: The malting barley of the United States is raised almost exclusively in Wisconsin, Minnesota, North Dakota, South Dakota, and Iowa. These States have been encouraged to go into the raising of barley because the duty of 25 or 30 cents per bushel allowed them a fair price. When the duty was 10 cents per bushel Ontario raised practically all of the barley used by Eastern maltsters. Owing to the very light crop raised this year, barley, up to the announcement of the proposed reciprocity treaty with Canada, advanced steadily, selling at \$1 per bushel in Milwaukee, Chicago, and Buffalo and 95 cents in Minneapolis.

To-day there is practically no barley market and barley is almost unsalable at a decline of anywhere from 12 to 20 cents per bushel. We quote the following letters received to-day from commission firms in Chicago and Milwaukee:

Berger-Crittenden Co., Milwaukee, say—

"The market was as dull as ever, with only a few cars of Wisconsin sold. Outside of this a few cars of Minnesota were sold, whereas all the other cars carried over for the last three or four days were again carried over to-day; maltsters and brewers still holding back. We naturally will have to wait developments."

Mohr-Holstein Commission Co., Milwaukee, say—

"Our market is perfectly lifeless—nothing doing. Not any of our maltsters would make a bid on anything to-day. It certainly does not look at all encouraging to us. The trade here feels bearish on account of the pending reciprocity treaty with Canada."

From the Brewers' Daily Bulletin of January 31—

"It is very evident that the brewers are in a waiting mood and that purchases of malt are confined to what is absolutely necessary to carry on business. The uncertainty which exists in the minds of the trade in regard to the Canadian reciprocity treaty and the possibility of its ratification has created a bearish sentiment, and the trade in general is disposed to await further developments before supporting the market with buying orders."

I feel that a grave injustice is being done the farmers and grain trade. Barley, from the States named, is rarely sold for feeding purposes, but is used almost exclusively for malting. If the duty is removed it will undoubtedly shut out these Northwestern States from the Eastern Market, and will probably reduce the price an average of fully 20 cents per bushel. Now, all of this will simply go into the hands of the brewers, and as between the brewer and the farmer it seems to me it would be an economic blunder and a political crime to favor the brewer. Barley in no sense is a food product, and there can be no excuse for putting it on the free list if the only objects in this reciprocity treaty are to cheapen the cost of living and broaden our trade with Canada.

I trust, therefore, that you can at least prevail upon Congress to omit barley from the free list. It will cause untold injury to our farmers and, as already stated, will benefit only the brewers. It would not even give cheaper beer.

Barley is selling to-day at 49 cents in Winnipeg; top grades in Minneapolis and Duluth, 84 cents; Chicago and Milwaukee, 86 cents.

Yours, very truly,

A. M. PRIME.

I also insert letter from Samuel C. Hayes, of Nielsville, Polk County, Minn., a prominent farmer.

OXFORD, PA., February 8, 1911.

HON. HALVOR STEENERSON,
Washington, D. C.

DEAR SIR: I want you to know how I feel as a farmer on a proposition now before Congress.

Canadian reciprocity, admitting their wheat free of duty as it is now framed up, is an unfair deal to us farmers. We demand protection for all or protection for none.

This deal would maintain Liverpool prices for our wheat for years to come. Under the protection we now have, home prices are frequently ours, and with the population growing rapidly they would soon be the rule. For the last two or three years, by reason of these conditions—a home market—in regard to prices on farm products on all meats, butter and eggs, and grain, we farmers have been getting on "Easy street" in sight. Pass the reciprocity deal and we will be put back to another 30 years of paralysis and stagnation.

We demand free trade for all classes or tariff for all classes. We want our rights and a square deal and will have them.

The purpose of this letter is to let you know how the farmers feel on this unfair proposition. It would be death to prosperity on the farm and cheap food for a little while for the already overprosperous town and city. Every butter and egg farmer and every grain farmer after tasting of this sort of medicine—if this proposition is made a go—will be red hot for the scalps of the authors of the deal. They will hear something drop later if this deal is not put through.

I am not in politics, and no use answering this letter, but lay awake nights killing this hogish proposition.

Yours, truly,

SAMUEL C. HAYES.

Also letter to the Kittson County Enterprise from Samuel H. Lapp, one of the most prominent farmers in that section:

ST. VINCENT, MINN., January 31, 1911.

EDITOR ENTERPRISE:

Dean Bolley, of the North Dakota Agricultural College, says the farmers should fight this treaty with Canada. Says he: "In my opinion if the reciprocity treaty between United States and Canada is carried out we will see the hardest times in this part of the United States we have ever seen." And we have had some pretty hard jolts in the past 30 years.

They tell us farmers that Liverpool controls the price of wheat. Maybe it does; but if it does, the daily newspaper market reports have been lying this winter. In their comments on the market they have stated at different times that the market here was 3 cents out of line with Liverpool; that is, we were 3 cents too high for Liverpool to buy our wheat. This doesn't look like Liverpool controlled our wheat market at all times, does it?

In talking this reciprocity treaty over with a neighboring farmer, whose farm joins the Canadian border and who has ample opportunity to observe the prices of wheat on both sides of the line, I asked him what difference, in his opinion, this treaty would make in the price of our wheat. He said he was satisfied it would make a difference of 10 cents a bushel.

The wheat deal is bad, mighty bad for us, but the barley is worse. I know something about the barley myself. Before coming to this country from Canada I lived in one of the greatest primary barley markets in the world, that was Toronto, Canada, and all the barley bought there was shipped in vessels across the Lakes to Buffalo, Chicago, Cleveland, and other American ports, and I presume the same conditions existed at all the other frontier Canadian markets. At that time there was a 20 per cent ad valorem duty on barley in this country, and the Canadian farmers were getting rich growing barley and selling it to the United States. When we started to grow barley here we couldn't sell it—they didn't want it. After a time we got 20 cents per bushel, and thought we were doing splendidly when we got 25 cents per bushel.

But, presto, something has happened. Barley went up to 40 and 45 cents per bushel, and a great demand for it at that. We farmers began to spruce up, the sun seemed to shine brighter, and we began to pay off our debts and mortgages. What was the cause? The Government had put a duty of 30 cents per bushel on barley, and the barley men had to buy their barley at home instead of going to Canada for it. The Canadian farmers had hard times for a long while, and went down about one-half in value, farms that were bought for \$100 per acre were sold at \$45 per acre after the Americans put on their 30 cents duty on barley.

I grow about 1,000 bushels of wheat and the same of barley. Each year I will lose 10 cents a bushel on wheat and 20 cents on barley—that will be \$300. I will be short next fall. To make that up they tell me I will get fish free of duty. I used to get my fish out of the Red River, but the Canadians, our dear friends, who President Taft says we should cultivate friendly relations with, have built a dam across the river below Winnipeg and will not let any fish come up here. Nothing very friendly about that, is there? So to get fish I had to buy. I bought a 10-pound pail of mackerel; cost me \$1.50; duty on fish, 3 cents per pound. Under the proposed treaty I will save on fish 30 cents; loss on grain \$300. They also tell us we can sell horses to the Canadians. I don't know how it is in other parts of the States. In this part we want to buy horses, instead of selling them. They further tell us it won't make any difference in the price of wheat. If it won't make any difference, why do they take the duty off? If it won't make any difference, why do men with the great brain capacity of Mr. Taft and other great men waste their time in doing things that won't make any difference?

James J. Hill sees rosy times ahead for this country if the treaty is ratified. The trouble with James J. Hill is that when he looks through his spectacles he only sees James J. Hill and the Great Northern and the Northern Pacific Railroads and the long haul of Canada wheat to Duluth and Minneapolis. Anyway, he is not always a true prophet. Years ago he prophesied that long before this time our wheat would be going west to Japan and China to feed the countless hordes in the Orient instead of going east to England. It did not go, however. He must have given up that idea, for he had two of the greatest ships in the world built to carry the wheat and flour, and one of them was wrecked on the coast of Japan, and he never replaced it. I believe in reciprocity; but, like charity, it ought to begin at home. Take some duty off wheat, then knock a chunk off steel; take the duty off butter, then a good big slice off wool. I see before me a paragraph in a reliable newspaper which says the duty on sugar cost the American people \$300,000,000 in 1910. Why doesn't President Taft take a swat at that, and then hit barley with his left? That would look like true reciprocity to me. I hear that Congressman STEENBERG and Senator NELSON are against this treaty. I hope so. I have always voted against these two men, but if they help to knock out this treaty I do not know but that I shall vote for them hereafter. Anyway, I promise not to "cuss" them behind their backs as much in the future as I have done in the past.

If any of your dear readers could explain this treaty and make me see it in a different light, I wish they would do it, for the Lord knows I am feeling sick. I am a Democrat, and always believed in Democracy's time-honored teachings, looking to an intelligent computation of

our tariff system as to acquire sufficient revenue to run our Government and at the same time reasonably protect American labor and institutions; but I must confess this Taft reciprocity treaty is too free for me.

Respectfully, yours,

SAMUEL H. LAPP.

Among the papers which see in free farm products a check to our agricultural development are the Denver Republican (Rep.) and the Chicago Farmers' and Drovers' Journal, the latter "America's greatest farm daily." Says the Farmers' and Drovers' Journal:

From the producers' standpoint this arrangement as put up to Congress means too much of a boost for the manufacturing interests of New England on the one hand and too great a sacrifice to the farmer of the Middle West on the other. It will mean a great increase of tonnage for certain of the railroads which traverse our northern border and have spurs leading up into the great agricultural regions of the Canadian Northwest. Also it will mean a great tonnage increase for certain of the Eastern lines which tap Toronto, Montreal, Ottawa, and others of the larger cities of Eastern Canada, but just where the farmers of the Mississippi Valley and the rangemen of the West are to benefit has not been made clear.

Class legislation, you say? Well, something strongly akin to it, anyway.

This reciprocity measure, so called, has been indorsed at a recent caucus of Democratic Representatives in Congress, and in the Ways and Means Committee only six out of 12 Republicans voted to report it favorably. The vote is reported to have stood 12 to seven—six Republicans and six Democrats for and six Republicans and one Democrat against—so that it comes here without a majority of the Republican members of the committee favoring it.

It is not a Republican measure, nor is it consistent with Democratic doctrines on the subject of the tariff.

This legislation was framed by commissioners who had no direct authority from the people. It is the work of the executive department, and the people have never been consulted. To rush this through without giving the people a chance to judge of its merits is not just, nor is it consistent with free representative government. [Applause.]

The Clerk read as follows:

Enforcement of the insecticide act: To enable the Secretary of Agriculture to carry into effect the provisions of the act of April 26, 1910, entitled "An act for preventing the manufacture, sale, or transportation of adulterated or misbranded Paris greens, lead arsenates, and other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes," in the city of Washington and elsewhere, including chemical apparatus, chemicals and supplies, repairs to apparatus, rent, gas, electric current, official traveling expenses, telegraph and telephone service, express and freight charges, and all other expenses, employing such assistants, clerks, and other persons as may be considered necessary for the purposes named, \$87,000.

Mr. MANN. I move to strike out the last word.

Mr. EDWARDS of Georgia. I offer the following amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Georgia to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Insert as a new paragraph, on page 76, after line 10—

Mr. MANN. I have moved to strike out the last word. The gentleman's amendment is not in order.

The CHAIRMAN. The Chair was misinformed.

Mr. MANN. I understand.

Mr. EDWARDS of Georgia. I withdraw my amendment for a moment.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] moves to strike out the last word of the paragraph. The gentleman from Georgia withholds his amendment.

Mr. MANN. I should like to ask the gentleman in charge of the bill with reference to this insecticide appropriation. I take it that that work will be done with the same force, and ought to be done with the same force, that carries out the pure-food law. Now, if you make the appropriation separate, will not that hamper the accounting officers and the department, and ought not this item to be included with the language covering the pure-food law?

Mr. SCOTT. Of course, in inserting this paragraph as we have at this place, the committee followed the estimates and the recommendation of the department.

Mr. MANN. I understand that.

Mr. SCOTT. It is the information of the committee that the work will be carried out as the gentleman from Illinois suggests—very largely by the same force that is looking after the pure-food law.

Mr. MANN. I had charge of the Lowden bill in the House, covering the insecticide law, and it was the clear understanding that the enforcement of that law would be carried out by the same officials, scattered throughout the country, as were already employed for the enforcement of the pure-food law. It would seem to me that it would be advisable to insert this paragraph in the proper form on page 52, in connection with the paragraph enforcing the pure food and drug act, so that it would not be necessary for these officials of the department in New York or Chicago or elsewhere throughout the country to keep separate ac-

counts, which would be required as the appropriation now stands.

Mr. SCOTT. It seems to me that is a very sensible suggestion. I will ask the gentleman from Illinois if he has prepared an amendment to cover that?

Mr. MANN. I have not; but I think it is very easy to do so, by simply inserting after the word "purposes," in line 9, on page 52, the words—

And the act entitled "An act to prevent the manufacture, sale, or transportation of adulterated or misbranded Paris greens, lead arsenates, and other insecticides, and also fungicides"—

And then adding to the total, so that the paragraph would cover the enforcement of the food and drugs act and the insecticide act as well, and increase the appropriation.

Mr. SCOTT. If the gentleman will offer an amendment to carry out his suggestion, I shall be very glad to accept it.

Mr. MANN. I ask unanimous consent that we may return to page 52, to the paragraph entitled—

Enforcement of the food and drugs act—

To carry into effect what has been suggested.

The CHAIRMAN (Mr. BOUTELL). Is there objection? [After a pause.] The Chair hears no objection.

Mr. MANN. I move to insert after the word "purposes," line 9, page 52, the words "and the act;" then the language on page 75, in line 25, and on page 76, lines 1, 2, and 3; and then insert, after the word "act," in line 3, page 52, the words "and the insecticide act;" and increase the amount in lines 15 and 16, page 52, by the addition of \$87,000.

Mr. SCOTT. Making \$697,110.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 52, line 3, after the word "act," insert the words "and the insecticide act."

Line 9, after the word "purposes," insert the words:

"An act for preventing the manufacture, sale, or transportation of adulterated or misbranded Paris greens, lead arsenates, and other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes."

Also, in lines 15 and 16, page 52, make the amount \$697,110.

Mr. MARTIN of South Dakota. Mr. Chairman, I suggest that in amending this it will be well to insert the date of the approval of the act, April 26, 1910.

Mr. SCOTT. Mr. Chairman, I would like to suggest that the insecticide act itself contains a provision declaring that the act shall be known and referred to as "The insecticide act of 1910."

Mr. MANN. That is correct. I think that language ought to be used instead of the language that I moved to insert. I remember that that provision was put in so as to cover this very question, so I move to insert after the word "purposes," line 9, page 52, the words "and the insecticide act of 1910."

Mr. SCOTT. And let the totals in the paragraph be changed to correspond.

Mr. MANN. Yes; the words "the insecticide act" is sufficient.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

Mr. SCOTT. Now, Mr. Chairman, I move to strike out the paragraph beginning on line 22, page 75, and continuing to line 10, page 76.

The motion was agreed to.

Mr. EDWARDS of Georgia. Mr. Chairman, I now offer my amendment, and I wish it to go in on line 21, page 75, to take the place of the section that has been stricken out.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows.

Add as a new paragraph on page 75 the following:

"For studying and testing commercial fertilizers, samples to be secured in open market, and where such samples are found to be adulterated, misbranded, or of an inferior grade to that for which it is recommended, the results of the tests shall be published, together with the names of the manufacturers and of the persons by whom the fertilizers were so offered, \$26,650."

Mr. SCOTT. Mr. Chairman, as to that I reserve a point of order.

Mr. EDWARDS of Georgia. Mr. Chairman, I think that a section of this kind ought to go into this bill. I concede that if a point of order is made the amendment is subject to it. We have on page 20 of this bill a section providing:

For studying and testing commercial seeds, including the testing of samples of seeds of grasses, clover, or alfalfa secured in the open market, and where such samples are found to be adulterated or misbranded the results of the tests shall be published, together with the names of the persons by whom the seeds were offered for sale, \$26,650.

This provision is in a measure to protect the farmers against the sale of unfit and inferior seed. I can conceive of no greater

blessing that would result to the farmers of this country than to safeguard them somewhat in the purchase of fertilizers. This amendment of mine would protect them against inferior fertilizers.

Mr. MOSS. Is the gentleman aware of the fact that Indiana has published to the world the very information that the gentleman from Georgia is asking for?

Mr. EDWARDS of Georgia. I am not aware of that fact.

Mr. MOSS. It is a fact, and if you will send to the experiment station in Indiana they will give you the information as to every brand of fertilizer in the United States.

Mr. EDWARDS of Georgia. Mr. Chairman, I would like to say that that is only a greater argument in favor of the adoption of this amendment. The great State of Indiana has seen the necessity of it; and while Indiana may be doing this for her farmers, still my amendment is for the benefit of all the farmers of the country. We have a law in Georgia for the inspection of fertilizers which is well enforced, but I believe that if this amendment were put into this bill, and if the fertilizer manufacturers and sellers knew that whenever they were offering to the farmers of the country worthless fertilizers, or inferior fertilizers, not of the grade recommended, that the fact would be published to the world, as this amendment provides, they would see to it that the purchasers got exactly what they bought.

Mr. MOSS. Mr. Chairman, I would still like to say to the gentleman that Indiana publishes those results to the world.

Mr. BENNET of New York. And I would like to say to the gentleman that the State of New York also publishes that information.

Mr. EDWARDS of Georgia. And I think the State of Georgia also publishes that information. I can see no objection to cooperation between the State and national authorities. With all due deference to the gentleman from Indiana and the gentleman from New York, we ought to have it included in the agricultural bill, in order that the knowledge so gained through such investigations may be given out by the Agricultural Department to all the farmers of the country. I believe cooperation between the State and Federal authorities in this matter would be of great help to the American farmers and effect a great saving.

Mr. SCOTT. Mr. Chairman, I am obliged to renew the point of order.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

And hereafter there is appropriated and made available as the Secretary of Agriculture may direct, out of the moneys received from the sale of any products or the use of any land or resources of the national forests, and which have been deposited in the Treasury as miscellaneous receipts under the provisions of an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908," approved March 4, 1907 (34 Stat. L., p. 1270, and 35 Stat. L., p. 260), so much as may be necessary in cases of extraordinary emergency to pay all expenses for fighting forest fires and for emergency fire patrol in excess of the amount specifically appropriated to the Forest Service for fighting fires: *Provided*, That such payments shall not exceed 75 per cent of the amount of said moneys received and deposited in the Treasury as miscellaneous receipts during the preceding fiscal year.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. I think this paragraph would not accomplish the purpose of getting any money out of the Treasury. I suppose it was prepared in the Department of Agriculture. I may be mistaken, but I think not. "Miscellaneous receipts" are received in the Treasury and so accounted for as "Miscellaneous receipts," but as soon as received they are turned into the general fund and then there is so much less as "Miscellaneous receipts" from which any money could be paid, and here you provide for an appropriation out of money deposited in the Treasury as "Miscellaneous receipts." There is no such fund in the Treasury, and I think it would not accomplish the purpose.

However, as I understand the paragraph, it is for the purpose of covering an emergency such as arose this year, where it was necessary to expend a large, a very large, sum of money in fighting forest fires which had begun and in patrolling forests so as to prevent forest fires which might occur owing to the dryness. This makes a permanent indefinite appropriation. Would it not be wiser to make a direct appropriation for the next fiscal year, which should only be used in the case of extraordinary emergencies, and do that from year to year instead of doing it in this way, where you have no control over it and where as a matter of fact they probably would not get the money?

Mr. SCOTT. Mr. Chairman, as the gentleman surmises, the provision he has been discussing was prepared in the department and submitted as a part of the estimates. The committee ap-

proved it, I confess, without critically examining the language, because we were of opinion that some provision should be made in a case of such extraordinary emergency as arose last summer, and we assumed that the solicitor of the department had put it in proper form. There was expended last year something over \$1,000,000 in fighting the fires, which devastated the national forests and caused a total loss of something like \$100,000,000. The committee believes that a fund should be available for such an emergency, and we believed it was better to set it out in the appropriation than to leave it altogether to the discretion of the Secretary. If the gentleman is of the opinion that the same purpose could be reached by better or different language, by making a direct and specific appropriation, I will be willing to consider his amendment.

Mr. MANN. I have prepared a form of amendment which I would like to submit to the gentleman.

Mr. HAWLEY. Mr. Chairman, I desire to reserve the point of order against the paragraph.

Mr. MANN. I am going to make a point of order against it after a while, so it does not make any difference.

For fighting and preventing forest fires in case of any extraordinary emergency—

That is the same limitation that is in the bill, and would authorize the Secretary of the Department of Agriculture to certify that a case of extraordinary emergency had arisen and to expend money in fighting forest fires or in patrolling the forests to prevent forest fires.

Mr. MANN. The amount that ought to be expended I prefer to leave to the judgment of the gentleman in charge of the bill. I take it it will be a large amount in any event.

Mr. SCOTT. I would suggest that the amount should not be less than \$1,000,000. Under the provision carried in the bill there might be available something like \$2,000,000 from the anticipated receipts from the Forest Service during one fiscal year.

Mr. MANN. Mr. Chairman, I make the point of order against the paragraph.

The CHAIRMAN. The Chair sustains the point of order.

Mr. SCOTT. Mr. Chairman, since the paragraph has gone out on a point of order, I will avail myself of the suggestion of the gentleman from Illinois and offer the following amendment.

The CHAIRMAN. The gentleman from Kansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert after line 10, page 76, the following:

"For fighting and preventing forest fires in case of extraordinary emergencies, \$1,000,000."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

And hereafter on or before the 1st day of October in each year the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury whether in his judgment each State and Territory has complied with the provisions of an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1909," approved May 23, 1908 (35 Stat. L. p. 260), providing that 25 per cent of all moneys received from each national forest during any fiscal year be expended for the benefit of the public schools and public roads of the county or counties in which the national forest is situated and is entitled to receive its share of such money. If in the judgment of the Secretary of Agriculture the provisions of the said act have not been complied with by any State or Territory he shall so report to the President and the amount involved shall be kept separate in the Treasury in order that the State or Territory, if it so desire, may appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct that the amount be paid to the State or Territory it shall be covered into the Treasury.

Mr. HAWLEY. Mr. Chairman, when this matter was before the committee I gave notice that I should make the point of order on this paragraph. I now make the point of order.

Mr. SCOTT. I concede the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. HAWLEY. And, Mr. Chairman, I ask unanimous consent to insert in the Record, as part of my remarks, a resolution from the State of Oregon.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The resolution is as follows:

Senate joint memorial 2.

To the honorable Senate and House of Representatives of the United States of America:

Your memorialists, the Legislative Assembly of the State of Oregon, most respectfully represent that—

Whereas the withdrawal of over 16,000,000 acres of land in the State of Oregon for forest conservation constitutes a serious obstacle to the settlement and development of this State and deprives the State and several counties thereof of vast tracts of taxable land; and

Whereas these resources are being conserved for the benefit of the people of the whole of the United States, it is therefore inequitable to place the burden of providing these resources so largely upon the people of this State: Therefore be it

Resolved, That we petition the honorable Congress of the United States to so amend the law under which the national forests are main-

tained as to give to this State at least 50 per cent of all moneys derived from the lease, use, or sale of any of the resources contained within these national forests.

Adopted by the senate January 27, 1911.

BEN SELLING, President of the Senate.

Adopted by the house January 31, 1911.

JOHN P. RUSK, Speaker of the House.

UNITED STATES OF AMERICA, STATE OF OREGON,
OFFICE OF THE SECRETARY OF STATE.

I, F. W. Benson, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that I have carefully compared the annexed copy of senate joint memorial No. 2 with the original thereof, which was adopted by the senate January 27, 1911, and adopted by the house January 31, 1911, and that it is a correct transcript therefrom and of the whole of such original.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol, at Salem, Oreg., this 2d day of February, A. D. 1911.

[SEAL.]

F. W. BENSON, Secretary of State.

The Clerk read as follows:

And hereafter the benefits of the act of May 30, 1908 (35 Stat. L. p. 556), entitled "An act granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment," shall be extended to accrue to and include any person employed by the United States as an officer or employee in the Forest Service engaged at the time of the injury in fire fighting or other extra-hazardous work in connection with the administration of the national forests, and each and every provision of said act shall apply to said employees of the United States as if they were specifically mentioned in that act; and hereafter the Secretary of Agriculture may, in his discretion, furnish, without charge, to officers and employees of the Forest Service engaged in fire fighting or other hazardous work in connection with the administration of the national forests, and who, without negligence, are injured in doing said work, such medical and surgical attendance and supplies as he may deem necessary and proper: *Provided*, That in the case of temporary employees the rates of compensation for death or injury shall not exceed that which would be paid to a ranger of the forest upon which such death or injury was sustained.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. I would like to suggest to the gentleman the provision of this paragraph is much broader than the provision in the liability law. In my judgment, it is not desirable to undertake to make distinctions in one service from those in another service. We passed a bill the other day in the House to amend the liability law so as to take in the Bureau of Mines. That bill is now in the Senate, and if the gentlemen interested in this proposition desire to have the Forest Service included they had better go to the Senate and have that provision inserted in the bill which is now pending in the Senate, where they can all be together and treated on the same terms, and for that reason I now make the point of order upon this paragraph.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. OLMSTED having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendment the following concurrent resolution (H. Con. Res. 59):

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (H. R. 14729) for the relief of Capt. Evan M. Johnson, United States Army, the enrolling clerk of the House be, and he is hereby, authorized and directed to strike out, in line 10 of the engrossed bill, the words "March 24, 1902," and insert in lieu thereof the words "May 16, 1899," the latter being the date of the sinking of the transport Meade mentioned in the bill in question.

The message also announced that the Senate had passed with amendments bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 32473. An act for the relief of the sufferers from famine in China.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 26150) to authorize the cities of Boston and Cambridge, Mass., to construct drawless bridges across the Charles River, between the cities of Cambridge and Boston, in the State of Massachusetts, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DEPEW, Mr. PILES, and Mr. STONE as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bills and joint resolution of the following titles:

H. R. 31927. An act authorizing the town of Blackberry to construct a bridge across the Mississippi River in Itasca County, Minn.;

H. R. 31661. An act to authorize the Secretary of Commerce and Labor to transfer the lighthouse tender *Wistaria* to the Secretary of the Treasury;

H. R. 31649. An act to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, Tenn.;

H. R. 31648. An act to authorize the county of Hamilton, in the State of Tennessee, to construct a bridge across the Tennessee River at Chattanooga, Tenn.;

H. R. 31171. An act to amend an act entitled "An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Liberty Bridge Co.," approved March 2, 1907;

H. R. 30899. An act to authorize the Great Western Land Co. of Missouri to construct a bridge across Black River;

H. R. 30888. An act providing for the purchase or erection, within certain limits of cost, of embassy, legation, and consular buildings abroad;

H. R. 30793. An act to authorize the Fargo & Moorhead Street Railway Co. to construct a bridge across the Red River of the North;

H. R. 30727. An act providing for the sale of certain lands to the city of Buffalo, Wyo.;

H. R. 29715. An act to extend the time for commencing and completing bridges and approaches thereto across the Wac-camaw River, S. C.;

H. R. 26529. An act for the relief of Phoebe Clark;

H. R. 25679. An act for the relief of the Sanitary Water-Still Co.;

H. R. 25234. An act authorizing the issuance of a patent to certain lands to Charles E. Miller;

H. R. 25081. An act for the relief of Helen S. Hogan;

H. R. 25074. An act for the relief of the owners of the schooner *Walter B. Chester*;

H. R. 24749. An act revising and amending the statutes relative to trade-marks;

H. R. 23827. An act extending the provisions of section 4 of the act of August 18, 1894, and for acts amendatory thereto, to the Fort Bridger abandoned military reservation in Wyoming;

H. R. 23314. An act to authorize the employment of letter carriers at certain post offices;

H. R. 22688. An act to authorize the extension of Thirteenth Street NW. from its present terminus north of Madison Street to Piney Branch Road;

H. R. 20375. An act to authorize certain changes in the permanent system of highways, District of Columbia;

H. R. 19747. An act for the relief of William C. Rich;

H. R. 17007. An act for the relief of Millard W. Alt;

H. R. 6776. An act for the relief of Oliva J. Baker, widow of Julian G. Baker, late quartermaster, United States Navy;

H. R. 2556. An act for the relief of R. A. Sisson;

H. R. 1883. An act for the relief of John G. Stauffer & Son; and

H. J. Res. 213. Joint resolution authorizing the President to invite foreign countries to participate in the Panama-Pacific International Exposition in 1915, at San Francisco, Cal.

RECIPROCITY WITH CANADA.

Mr. McCALL. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman rise.

Mr. McCALL. Mr. Speaker, I rise to present a privileged report from the Committee on Ways and Means, and I ask unanimous consent, for the convenience of Members, that this report may be printed in the Record.

Mr. SCOTT. Mr. Speaker, reserving the right to object, the gentleman does not anticipate any debate at this time?

Mr. McCALL. Not at all; I am just presenting a report and asking unanimous consent that the report may be printed in the Record, and I also ask unanimous consent that the minority may have leave to file their views.

SEVERAL MEMBERS. How long?

The SPEAKER pro tempore. The gentleman from Massachusetts presents a report (No. 2150) and asks unanimous consent that the report be printed in the Record. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 32216) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes.

The SPEAKER pro tempore. The bill and report will be referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. GAINES. Mr. Speaker, I ask unanimous consent that the minority may have until Wednesday to file their views.

Mr. McCALL. Mr. Speaker, that will involve a delay of the matter until Wednesday, and I do not think the House should be called upon now to pass upon that point. I have been indulgent with gentlemen who are opposed to the bill, and I put in no limitation whatever.

The SPEAKER pro tempore. What is the request of the gentleman from Massachusetts?

Mr. McCALL. When I first put the request it was that the report be printed in the Record for the convenience of Members.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent that the report be printed in the

Record for the convenience of Members. Is there objection? [After a pause.] The Chair hears none.

Mr. McCALL, from the Committee on Ways and Means, submitted the following report to accompany H. R. 32216:

The Committee on Ways and Means, to whom was referred the bill (H. R. 32216) to promote reciprocal trade relations with the Dominion of Canada, and for other purposes, having had the same under consideration, report it back to the House with amendments (H. Rept. No. 2150) and recommend that the said bill, with the following amendments, do pass, viz:

On page 19 strike out all of lines 15 to 25, inclusive, and on page 20 strike out all of lines 1 to 9, inclusive, and on page 24 strike out all of lines 4 to 11, inclusive, and insert as a new section at the end of the bill the following:

Sec. 2. Pulp of wood mechanically ground; pulp of wood, chemical, bleached, or unbleached; news print paper, and other paper, and paper board, manufactured from mechanical wood pulp or from chemical wood pulp, or of which such pulp is the component material of chief value, colored in the pulp, or not colored, and valued at not more than 4 cents per pound, not including printed or decorated wall paper, being the products of Canada, when imported therefrom directly into the United States, shall be admitted free of duty, on the condition precedent that no export duty, export license fee, or other export charge of any kind whatsoever (whether in the form of additional charge or license fee or otherwise), or any prohibition or restriction in any way of the exportation (whether by law, order, regulation, contractual relation, or otherwise, directly or indirectly), shall have been imposed upon such paper, board, or wood pulp, or the wood used in the manufacture of such paper, board, or wood pulp, or the wood pulp used in the manufacture of such paper or board.

The bill takes a long step toward establishing for the Continent of North America a policy of unrestricted trade and commerce, recognizing natural conditions that have been too long ignored. It is based upon just principles and designed fairly to secure the mutual advantage of the two Nations. The President wisely said in his message that in an arrangement like the pending one "an exact balance of financial gain is neither imperative nor attainable." The duties proposed to be remitted by the United States yield about twice as great a revenue as those remitted by Canada. But Canada's concessions bear a much larger proportion to her total income than do our concessions to our total income. And it must also be borne in mind that we are likely to gain as greatly by what we give as by what we get.

When population is taken into account, there is no country in the world that approaches Canada in amount of purchases from the United States. When cotton, in which we have a practical monopoly and which foreign nations must buy from us, is excepted, the United Kingdom is the only country which purchases a larger aggregate of our products. Our splendid trade with the German Empire takes only \$258,000,000 of our exports each year, as compared with \$242,000,000 which we sell to Canada. When cotton is deducted from the two accounts, Germany, with eight times as many people as Canada, buys from us only \$120,000,000, as against Canada's \$231,000,000, or only a trifle more than half the aggregate taken by the latter country. France annually buys from us \$116,000,000 in total value, or \$54,000,000 with cotton excluded. Even the United Kingdom imports from this country but \$307,000,000 in value, exclusive of cotton, or barely one-third more than is taken by her colony. Canada buys from us 50 per cent more than she takes from all the other nations of the world combined. Each year her seven or eight millions of people buy of our products as much in value as Great Britain exports to the 300,000,000 people in her Indian empire. He must be blind indeed who can not see the significance of her remarkable preeminence in the commerce of the United States. In methods of production, scale of living, and racial characteristics no other nation so strongly resembles this country. The forces of nature draw the two countries commercially together with a potency which can not be nullified by mutual tariffs and by the other devices by which statesmen keep nations asunder.

It will help us to understand the policy of the bill to look at the map and to consider a few primary facts. The habitable part of Canada forms an extended rim across the summit of our country and is shut in by our northern boundary on the one side and by the extreme cold upon the other. This rim is narrow in the eastern and central portions and broadens out toward the mountains and the Pacific under the influence of the Chinook winds. The two countries have a common frontier of 3,700 miles, not including the Alaskan boundary which would add 1,600 miles more. No two other countries in the world lie alongside each other for nearly so great a distance. It is not a natural frontier made up of mountains and other barriers difficult to cross but for the greater distance it is purely artificial in character, and for the rest it is composed of great navigable lakes and rivers. Nature never more greatly tempted two nations to trade with each other.

The attempt to set aside the plain decrees of nature by artificial tariff barriers has injured both countries, but on account of her configuration Canada has suffered far more than this country. It was a problem of the utmost difficulty confronting Canadian statesmen to establish a great and coherent industrial and commercial structure over vast stretches of longitude and little latitude, with deep valleys and almost impassable mountain ranges running north and south. A semblance of unity in such a fabric could only be secured at great cost. Commerce would naturally follow the circles of longitude and break across the boundary in a hundred torrents. But the currents of Canadian trade flow feebly and become cold, forced as they are through an artificial channel for thousands of miles in a single direction and lacking in the warmth that would come from lateral lines discharging themselves into the main artery. To this artificial condition is due the slow development of Canada; for that a country with her vast wealth of forests and mines and with hundreds of thousands of miles of rich and unsettled lands should only have increased from 3,500,000 of people to 8,000,000 in a half century is a striking circumstance, and one, it may be added, for which we must accept a large measure of responsibility. When we yielded to the influence of the lumber interests and denounced the Elgin treaty, we suffered in consequence the tragic waste of our forests, and we forced upon Canada a condition under which she has had but a slow and cramped growth. Remove this condition and she will soon gain the strength and stature of a great nation.

And the benefit to us would be enormous. If we could sweep away all tariffs between the two countries, it would have the effect upon our trade of another Louisiana Purchase. If her commerce is so important to us when she has only 8,000,000 of people, what would be the magnitude of our trade when she should have 25,000,000? In trade it is with nations as it is with men. You increase the purchasing power of a customer and you thereby increase your own prosperity.

Objections have been made to the bill in the name of the agricultural interests. Whether these objections have emanated from the farmers themselves, or only from the official machinery of their various organizations, the interests of an occupation which lies at the foundation of the prosperity of the Nation and, indeed, is necessary to its existence, demand the most serious consideration. Of the agricultural products covered by the bill, wheat is the most important that Canada produces. In 1909 that country raised 166,744,000 bushels of wheat, of which about 57,000,000 bushels were exported either as wheat or in the form of flour. We now impose a duty of 25 cents a bushel upon wheat. Under the proposed bill that duty is entirely removed against Canadian wheat. Both countries have long been exporters of wheat, although the surplus of Canada is steadily increasing and our surplus as steadily diminishing. And yet we raise a very considerable surplus. In the year 1909 our exports of wheat, and of flour in terms of wheat, amounted to more than 114,000,000 bushels. In the same year the exports of wheat from the United States to Canada were greater than from Canada to the United States. There is little risk in the assertion that our tariff has never affected the home price of our wheat, however beneficent it may appear upon the statute books to our farmers. The prices of wheat in the United States, Canada, Russia, and other wheat-exporting countries are substantially adjusted with reference to the Liverpool price. That condition is likely to continue into the near future, but the growth of our population is such that our consumption is pressing upon production and the day is not far distant when we shall become importers of wheat. When that time shall come and, instead of having a surplus, we shall not produce enough for our needs, and we shall become a buyer rather than a seller in the open market, obviously that circumstance will raise rather than lower the world's price. That price will be fixed by the world's supply compared with the demand. The necessity of importing wheat will then, for the first time in our history, make any tariff we may impose upon its importation a factor in fixing our domestic price. When that condition shall exist will it be desirable to employ a tariff rate to make still higher to our consumers the price of wheat in the world's market? Such a course would certainly not be necessary to the prosperity of our wheat growers who are prospering with their price fixed by the general supply and demand of the open market, and who indeed have never known any other condition.

It would be inhuman to the great mass of the people to enter upon the policy of increasing by law, at the moment that there should be a domestic scarcity, the price of the bread they ate in order to increase the profits of an already profitable industry. When that time shall come, it will be a blessing

to all our people and in a larger measure to those who are poor that they can turn to the near-by wheat fields of Canada. The most odious of all taxes ever devised by government is a tax upon bread. That food has a place near the elemental substances like air and water which are necessary to the preservation of our lives. Such a tax is not felt by the rich and well to do, but it bears with especial weight upon the poor. For the Government to intervene artificially to increase the price of bread would be to add to the load borne by those already overburdened, who can only with difficulty procure the means of subsistence, and it would tend to increase suffering and shorten life. The American farmer will not desire to augment his prosperity in any such a way. Certainly he is not likely to borrow trouble over a condition that may not appear for a decade.

But it should not be inferred from the foregoing that we shall not derive any immediate advantage from a removal of the duty on wheat. Our tariff dike has the effect of preventing millions of bushels of Canadian wheat from coming across the border, as it were, by the force of gravity, and of turning this traffic through artificial channels to the Atlantic seaboard. If this tariff dike were broken down it is inevitable that very much of it would come into our country. And would it decrease the price of our wheat? By no means, for that would be fixed by the world's price. For every bushel that would come in at Manitoba, so long as we raise a surplus, another bushel would go out at New York. The center of the wheat-growing area of North America on the north and south line is in the vicinity of Minneapolis. It is also the central point for the making of flour. The natural destination of great quantities of wheat of the Canadian Northwest is Minneapolis. The difference in the quality of the Canadian and American wheat is such that by blending the two grains a better flour is produced than could be made from either alone. And if we did not restrict its importation, a tremendous impetus would be given to the flour-making industry and to the trades dependent upon it. The clearing of the transactions would create a business of an important financial character, much of the purchase price would be likely to find its way into the general channels of trade, and our American railways would have a profitable business which would aid in their maintenance and result in the remunerative employment of labor.

It may be said that the prosperity of Canadian railways would correspondingly decline. They would undoubtedly lose in the transportation of wheat, but they would gain in other directions. The effect of the proposed arrangement upon the growth of Canada would be magical, new interests would spring up, and her railroads would be called upon to serve a much larger population.

What has been said about wheat is in effect true of barley, some of the producers of which in our country have expressed alarm at the terms of the bill. In 1909 Canada produced 55,398,000 bushels of barley and exported 2,959,335 bushels, of which only 266,096 came to the United States. She is thus seen to be a great consumer of that grain, and upon the basis of her present large production her surplus is negligible. In the same year our production of barley was 170,284,000 bushels, and our exported surplus was 6,580,000, of which 115,000 went to Canada. It may be that she will rapidly increase her production of barley under the stimulus of our free market, but in order to do that her farmers will have to withdraw in a corresponding degree from the production of other articles which will also be admitted free. Obviously, they can not simultaneously increase their production of wheat, barley, potatoes, and other agricultural articles included in the bill, except as the number of her farmers increase. If by the mutual withdrawal of duties more of her barley should come into New York from Ontario, more of ours would be likely to cross the line at Wisconsin and States farther to the westward, and the useless hauling of Ontario barley to western Canada and of our western barley to New York would be done away with, as would also the heavy freight charge which is now a tax upon the general agricultural interests of both countries.

Doubtless immigration to Canada will increase with a good deal of rapidity. On the other hand, there is seen the same tendency in Canada as elsewhere toward the congestion of population in the cities. The estimates upon the census about to be taken show that the population of Winnipeg has increased threefold, and Montreal has nearly doubled in 10 years, and that her other large towns are growing rapidly. The most striking tendency shown by our census of 1910 is the remarkable increase in the population of our great cities compared with the slow growth and, in some cases, the decline in our most fertile agricultural regions. The number of people who consume the fruits of the soil, compared with those who pro-

duce them, is rapidly growing greater. If the rich agricultural lands of Canada are quickly settled and brought under the plow, the growing disparity between those who consume and those who produce will be for the time checked.

The article of corn, of which we produce such vast quantities, is not concerned in the arrangement, except that our already large exports of corn to Canada would very likely increase. The short summer of Canada is not favorable to the culture of this grain. The mutual commerce of the two countries in all the products of agriculture do not disclose at any point any serious threat to the interests of the farmer, and he will get an undoubted advantage in the free admission of important articles which he consumes and in a wider market for some of his products.

The bill proposes to put fish of various kinds on the free list in return for similar action on the part of Canada. The witnesses, who made a definite remonstrance before the committee, all came from Gloucester, Mass., the home port of our greatest fishing fleets and the center of the salt-fish industry. It is not at all clear that the free-fish provisions of the bill would not put the deep-sea industry upon a better basis, instead of causing the ruin that was predicted. There is no doubt that its prosperity has been for years declining under the present system. During the periods when fish have been admitted free of duty Gloucester enjoyed prosperity. For the years between 1875 and 1885 the population of the city increased as much as in the last 25 years, although during the first period fish were free and during the second were subject to duty. At the end of the free period production had reached proportions from which, after the restoration of duties, it steadily declined.

Under the provisions of the bill it is likely that the curing and salting department of the industry will gain. It may be that they would not arrest the decline in deep-sea fishing, and that the fleets would continue to dwindle as they are unmistakably dwindling under the present system. There is no market for fresh fish in Canada at all comparable to that of our New England cities, and very likely the fishermen of Canada would seek the benefits of this bill. But the fish-curing industry would follow that of fresh fish. When the produce of the fleets is brought to market, in the sorting of the catch and in the temporary fluctuations in the price of a very perishable article many of the fish would have to be used in the curing industry or thrown away. To the extent, therefore, to which the Canadian fleets resort to our markets they would naturally transfer to us the fish-curing industry, and we should gain more than we should lose.

The aggregate tonnage of the Gloucester fishing vessels is now 21,000, and they are manned by 4,500 men. The "lay" or share of the men yields them hardly as much as the commonest labor is paid ashore and the calling is full of danger. The vessels are small, averaging but 75 tons; they fish in dangerous waters, shut in by fogs; they have none of the modern safety equipments, such as are found upon merchant steamships; they are no longer nurseries for our ships of war, upon which conditions have so radically changed; and they are a survival of an order which has almost disappeared. If it should not be a consequence of this bill to stop the decline which clearly appears in the fishing part of the industry as at present conducted, and if some of the sailors should be turned from a perilous and wretchedly paid calling into safer and more prosperous pursuits, the result would not be wholly evil. And it must not be forgotten that the probable result would be to give the American people a more abundant supply of fish.

The bill provides for free lumber, which will tend to conserve our forests and reduce the price of an article of prime necessity. Briefly stated, the economic advantages to us of the reciprocal duties and free lists proposed by the bill are likely to be: First, that they will act as regulators of the prices of very many necessary articles generally consumed by our people, and in times of scarcity in particular articles will tend to keep prices down; and, second, by augmenting the prosperity of the country, which, according to her population, is by far the best foreign customer we have, they will increase her purchasing power and thus increase our own trade. The bill is a measure in the interests of the great mass of the people of the country, and the committee recommend its passage.

Mr. McCALL. Now, Mr. Speaker, I ask unanimous consent that the minority may have leave to file its views.

Mr. GAINES. Mr. Speaker, I have already asked unanimous consent that the minority might have until Wednesday next, and if the gentleman will withhold his objection I will state very frankly that it is for the purpose of having two days other than Sunday, if they be needed, to make the report. The minority does not desire to present their views simply for the

purpose of putting something on paper, but in order that those views might be here when the bill is considered.

Mr. McCALL. Mr. Speaker, I will say that would involve agreeing now to put the consideration of the case off until Wednesday, and I give notice now that I propose on Monday, after the reading of the Journal, to take up this bill and act upon it.

Mr. MADDEN. Is not Monday District day?

Mr. McCALL. The House can determine whether it will take up the bill or not.

Mr. MADDEN. The gentleman from Massachusetts when he first rose to his feet, coupled with the other request a request for unanimous consent that the minority have leave to file their report.

Mr. OLCOTT. I shall object to that if there is any attempt on the part of the committee to take this up in preference to the usual District business.

Mr. McCALL. This does not involve it in any way. I simply ask that the minority have leave to file their views, and there is no limitation at all.

Mr. GAINES. The gentleman certainly does not object to permitting the minority to make its own request for unanimous consent?

Mr. McCALL. I do not object, but I shall object to having them given until Wednesday if that is taken to mean that the House shall not consider it until Wednesday.

Mr. MANN. The gentleman has made his statement and will make his motion Monday.

Mr. McCALL. I will make my motion on Monday.

Mr. GAINES. I renew my request for unanimous consent that the minority may have until Wednesday to file their views.

Mr. MANN. Nobody cares if they have a week from Monday.

Mr. FORDNEY. Then, what are you objecting to?

Mr. McCALL. I have given notice that I shall call it up Monday, if I can.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia, that the minority may have until Wednesday to file their views? [After a pause.] The Chair hears none.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

Mr. SCOTT. Mr. Chairman, it is a matter of indifference to the committee, of course, under what law provision is made for the employees of the Forest Service who may be injured or killed while in that service. It did seem to the committee, however, as if this service does make a very strong appeal for such protection.

Mr. MANN. I quite agree with the gentleman.

Mr. SCOTT. More than 60 men lost their lives in fighting forest fires last year, and a great many were severely injured. One, whom I happen to remember, lost both of his eyes. It is highly desirable, certainly, that some provision should be made for their compensation. I would like to ask the gentleman from Illinois [Mr. MANN] if he is able to give any assurance that the bill to which he refers will be considered in the Senate at this session.

Mr. MANN. I can say—of course I could give no assurance—I have no doubt the bill will pass the Senate and become a law. I do not think anybody has objection to it.

Mr. SCOTT. It is the opinion of the gentleman that an amendment which would cover the object desired by this paragraph could be made without parliamentary objection?

Mr. MANN. So far as the question of compensation is concerned, apart from the question of medical and surgical attendance, it could be met by an amendment of possibly less than two lines in length.

Mr. SCOTT. Of course, the gentleman is just as much interested as I am, or any other member of the committee is, in this legislation, and I leave it to him.

My own judgment would be that now that we have the opportunity to make sure that it will be enacted into law, we had better let it go through on this bill.

Mr. MANN. I know; but here is the point about it: In the first place, it is desirable to have it all in one law; this undertakes to put it into two laws. In the second place, it is desirable to have this service on the same basis, whatever arrangement is provided for by Congress. In other words, there ought not to be a discrimination between the Mining Service, the Irrigation Service, and the Forest Service, as to the people who are to receive the benefits of the act. I do not think the act is broad enough. I would make it a great deal broader, and I hope it will be made broader in the near future. But I do not think it is desirable to do that by undertaking to put it under different

classes of employees. That act has been construed by the department already; it is in operation, and this proposition would certainly change the language as to the employees.

Mr. SCOTT. Does the gentleman realize that the employees whom we are seeking to take care of are very largely temporary employees, who are on the rolls for a few days only at times, on an emergency employment, and that it might be difficult to apply to them the terms of the act he is discussing?

Mr. MANN. That is all that the amendment undertakes to do. The language of the gentleman's amendment is that the other act shall be extended to and include any person employed by the United States.

Mr. SCOTT. But it would carry a proviso that in the case of temporary employees the rates of compensation in the event of death or injury should not exceed those to be paid to the ranger in the place where such death or injury is incurred, whereas the language of the bill H. R. 31534, to which the gentleman has referred, provides that the compensation shall be that which the employee would have been paid if he had been continued in the service.

Mr. MANN. May I ask the gentleman from Kansas what is the difference?

Mr. SCOTT. There is this difference, if the gentleman will allow me: Under the stress of great emergencies and in view of the sparsity of population, it has happened, and it did happen last summer, that men were employed to fight fire to whom a very high salary was paid compared with the rate of pay generally allowed. They were paid as high as 50 cents an hour, for example, under such conditions. Now, the gentleman would hardly concede, I think, that in the event of injury they should be compensated at the rate of 50 cents an hour.

Mr. MANN. No; I would not oppose that. On the contrary, if a man goes to fighting fire and is burned up, I would not object to giving his widow and children compensation at the rate of 50 cents an hour for a year. It would not be very much, by the way.

Mr. SCOTT. The Committee on Agriculture was of the opinion that if the compensation were fixed at a rate such as would be equivalent to that of a permanent employee doing the same work, the demands of justice would be met.

Mr. MANN. The gentleman, if he desires, can put this class of employees into the bill. The bill provides for a number of employees and describes what is a hazardous employment. But we should not depart from the time-honored precedents and policy of the Government. I make the point of order on the paragraph.

Mr. MARTIN of South Dakota. I want to make a suggestion to the gentleman from Illinois [Mr. MANN] and ask him if he would not be willing to allow the paragraph to remain in the bill, with the understanding that the chairman of the committee will seek to have the language redrawn and have the paragraph amended at the other end of the Capitol.

Mr. MANN. I will say to the gentleman from South Dakota that "the other end of the Capitol" has already passed on this identical question that we passed upon a few days ago.

Mr. MARTIN of South Dakota. Covering this question?

Mr. MANN. Covering the question, but not naming these fire fighters.

The CHAIRMAN. The gentleman from Illinois has made a point of order. The Chair sustains the point of order.

The Clerk read as follows:

And hereafter officers and employees of the Department of Agriculture transferred from one official station to another for permanent duty, when authorized by the Secretary of Agriculture, may be allowed actual traveling expenses and freight and drayage charges for the transfer of their household goods, and of personal property which is used in official work, under such rules and regulations as may be prescribed by the Secretary of Agriculture.

Mr. MACON. Mr. Chairman, I make a point of order against that paragraph. It is new legislation on an appropriation bill.

Mr. SCOTT. I concede the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

That the provisions of the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908," requiring the Secretary of Agriculture to submit to Congress classified and detailed reports of receipts and classified and detailed estimates and reports of expenditures by the Forest Service, and classified and detailed estimates and reports of every subject of expenditure by the Agricultural Department; statements showing all appointments, promotions, or other changes made in the salaries paid from lump funds; and statements showing the number of persons employed in meat-inspection work, the salary or per diem paid each, together with the contingent expenses of such inspectors and where they have been and are employed; and the provision in the appropriation act for the Department of Agriculture, approved May 23, 1908, providing for the report to Congress of any sum used from the lump-fund appropriation for the Bureau of Chemistry, in compensating or paying expenses of any officer or other person employed by any State, county, or municipal government, are hereby repealed.

Mr. FITZGERALD. I reserve a point of order against the paragraph, Mr. Chairman.

The repeal of these provisions will completely change the practice heretofore followed by the House in making appropriations, and it is of so much importance that I believe this item should be thoroughly discussed, rather than be stricken from the bill on a point of order without discussion.

It has been found that the best results are obtained when appropriations are segregated and made for specific purposes. If the bill itself limits the use to which an appropriation can be put very little trouble arises from the use of the appropriation for some other purpose, or for some purpose not contemplated by Congress when the appropriation is made.

During recent years, however, a number of new services have been initiated, and in some instances it has not been possible to obtain specific estimates for the service authorized, and the appropriations have been made in lump sums. In other instances, because of the number and character of the employees to be paid and the various services to be compensated for, it has been believed to be undesirable to increase the bulk of the appropriation bills by carrying out in detail a statement of the purposes for which the appropriation is made. Whenever the appropriations have been made in lump sums, however, it has been found of great value and of much advantage to the House to compel the department having the lump-sum appropriation at its disposal to report in detail the manner in which the money has been expended. That has two advantages: In the first place, it places at the disposal of Congress information in detail and of an accurate character as to the manner in which the appropriation has been used; and, in the second place, the fact that the department is compelled to prepare and to submit such a report to Congress makes the department particularly careful not to use the money for some unauthorized purpose. Now, if in this appropriation bill, in which there are a great many lump-sum appropriations covering a great number of services, the law, requiring a detailed report of the expenditure to be submitted to Congress, is to be repealed, it will place this department in a position occupied by no other department of the Government.

It has been said that this information is of no practical value, that it is never called for, that it is not used; but it would be of immense value if certain committees of this House were to discharge the duties which devolve upon them under the rules. For each department of the Government there is a committee on expenditures, and if these committees would take these reports and analyze them and examine them and compare them with the lump appropriations, and would be here for the purpose of giving the House the benefit of the information required, when the appropriation bills come before the House it would result in much better legislation.

Mr. MANN. Will the gentleman yield for a question?

Mr. FITZGERALD. I will.

Mr. MANN. Does the gentleman think that the other departments of the Government make similar reports?

Mr. FITZGERALD. Most of the other departments are required to submit reports of this character when their appropriations are made in lump sums. Nearly every department or bureau of the Government which obtains money in lump sums under the sundry civil appropriation act is required to submit detailed reports.

Mr. MANN. What becomes of those reports?

Mr. FITZGERALD. They are examined constantly in the Committee on Appropriations when the bills are being made up.

Mr. MANN. I take it that they would not be referred to the Committee on Appropriations if they came in.

Mr. FITZGERALD. No; but they are available.

Mr. MANN. And there have not any of them been printed, and I take it that they are not made in the same way as the Department of Agriculture is required to make them.

Mr. FITZGERALD. No other department of the Government obtains so many lump-sum appropriations for services of the character that the Department of Agriculture does. It has a very large number of forest reserves scattered throughout the country. It gets \$80,000, \$90,000, or \$100,000 for the maintenance of single forest reserves, and no restriction whatever is placed on the head of the department as to how the money shall be expended, and no information is available to the House or Congress as to the manner of its expenditure unless the detailed reports are made.

Mr. TAWNEY. If the gentleman will permit me, I will say that in almost all the permanent appropriations the departments, except the Agricultural Department, are required to submit detailed expenditures of the permanent appropriation in book form.

Mr. MANN. That is the trouble; no such detailed reports of expenditures are made in the Revenue-Cutter Service or the Lighthouse Service, or any other service that is appropriated for in the sundry civil bill, such as is required of the Agricultural Department.

The Agricultural Department makes a report on large paper, as thick as the book I hold in my hand, and the Committee on Expenditures in the Agricultural Department has reported to the House that they have had 21 sessions from February 22 to June 3, 1910, and have reported a resolution recommending that this report of the Department of Agriculture be not printed because it is worthless. It cost thousands of dollars to get it up, and the question is whether it is worth while to have such a detailed report come in such a voluminous and bulky shape that no one can examine it with intelligence.

Mr. FITZGERALD. There may be some merit in the suggestion of the gentleman that the report now required is too voluminous, but that does not justify the repeal of the statute without any suggestion as to some other report which will give the necessary information.

Mr. MANN. I suppose it would have the same result as the law requiring a report of the lump-sum appropriations in the sundry civil. There is no specific requirement as to those.

Mr. FITZGERALD. The gentleman is mistaken. Where a lump-sum appropriation is made for an established service a provision is put in requiring detailed reports of the expenditure to be submitted to Congress.

Mr. MANN. I have been looking for some of those detailed reports.

Mr. SCOTT. Will the gentleman from New York yield to me?

Mr. FITZGERALD. Certainly.

Mr. SCOTT. The Department of Agriculture issues annually a statement of expenditures, reporting in great detail the expenditure of every dollar of appropriation. It includes even the names of all the persons to whom money is paid for any purpose, and it is so classified as to make it clear for what purpose the money was paid. It is not proposed in the paragraph now under discussion to repeal the law providing for the publication of this report. We desire to have this report continued from year to year as it has been published for many years in the past. We do believe, however, that there should not be continued the great duplication of reports now provided by law.

Mr. FITZGERALD. There would be no necessity for it if that report has all the information; but why is it not sent to Congress?

Mr. SCOTT. It is sent to Congress. I hold a copy in my hand which comes from the document room and is available to every Member of the House. It is entitled "Statement of Expenditures in the Department of Agriculture for the Fiscal Year ending June 30, 1908."

Now, the Committee on Expenditures in the Department of Agriculture is one of the expenditures committees that has done its duty very carefully and laboriously. The gentleman from New York no doubt remembers the long and exhaustive inquiry that was conducted by the committee under the chairmanship of Mr. Littlefield, of Maine, and as a result of that inquiry the annual statement of expenditures was rearranged and classified in such a way as to present the financial transactions of the department in a more methodical shape than it had been before.

The committee in the present House, under the chairmanship of the gentleman from Pennsylvania [Mr. GRAHAM], further conducted an extended inquiry, and it is the judgment of that committee that the reports referred to in the pending bill should be eliminated.

The first of the reports that we ask to eliminate is what is known as the three-year report, a copy of which I hold in my hand. This is arranged in three parallel columns. The figures in the left-hand column contain the items of appropriation for the preceding fiscal year, the figures in the middle column the items of appropriation for the current fiscal year, and the figures in the right-hand column the items of appropriation asked for in the estimates for the ensuing year. There is no single item included in this book, information as to which may not be obtained in documents which are available to Members of the House.

The items of expenditure in the last year's appropriation bill are to be had through copies of that bill. The detail of items in the law for the current year, of course, is available, and the estimates come to every Member of Congress who desires to obtain them at the beginning of each session, so that there is absolutely not one item of information in this so-called three-year report which is not easily available for the use of any Member who desires to obtain it. Yet it costs the time of a large force of clerks three or four weeks to prepare the copy,

and it costs the printing fund a large amount of money to print it. The total cost of this report, it is estimated, is not less than \$6,320.49 annually.

[The time of Mr. SCOTT having expired, by unanimous consent, on the request of Mr. TAWNEY, his time was extended five minutes.]

Mr. TAWNEY. In the report which the Agricultural Department is required to make to Congress of its expenditures, would a person find a statement showing the appointments, promotions, or other changes that were made in the salaries paid from the lump fund?

Mr. SCOTT. That information could not be obtained in any report that would be published, if the provisions of the paragraph now under consideration were enacted into law; but I beg to call the gentleman's attention to the fact that this report, a copy of which I hold in my hand, was called for and required at a time when the lump funds of the Department of Agriculture were far larger than they are now. Gentlemen will remember that under the provisions of the paragraph contained in the current law we have this year transferred to the statutory rolls all clerks, assistant clerks, and employees below that grade.

Mr. TAWNEY. And also increased the permanent appropriation \$150,000.

Mr. SCOTT. I do not know what the gentleman means by increasing the permanent appropriation.

Mr. TAWNEY. The permanent appropriation is increased by \$150,000 by reason of transfers of the clerks.

Mr. SCOTT. The gentleman refers to the increase in the permanent appropriation for the Meat Inspection Service, and of course that is true. I carefully explained to the committee when the matter was before the House why that appropriation was increased.

Mr. TAWNEY. I merely call attention to it for the purpose of showing the weakness of the gentleman's argument when he is referring to the fact that he has taken specific employees upon the lump-sum permanent appropriations, and thereby lessened the necessity for this detailed information.

Mr. SCOTT. My position is that the necessity for the detailed information is lessened, not by the fact that we may or may not have increased certain appropriations, but by the fact that we have practically taken all of the employees except those of the scientific grade away from the lump funds and put them onto the statutory rolls, where Members of the House can always see what their salaries are.

Mr. FITZGERALD. My recollection is that the amount of compensation paid out of the lump-fund appropriations here was over \$700,000—

Mr. TAWNEY. I will ask the gentleman from New York to withhold for a moment while I ask the gentleman from Kansas one further question. At the bottom of page 79 I find the following:

And the provision in the appropriation act for the Department of Agriculture, approved May 23, 1908, providing for the report to Congress of any sum used from the lump-fund appropriation for the Bureau of Chemistry, in compensating or paying expenses of any officer or other person employed by any State, county, or municipal government, are hereby repealed.

Now, in what other report which the Secretary of Agriculture is required to make by law can Congress ascertain how much has been paid out of the lump fund for the Chemistry Bureau to State, municipal, or other employees who are not connected with the Government service?

Mr. SCOTT. That information can be obtained from the statement of expenditures of the Department of Agriculture, where it is set out in detail.

Mr. TAWNEY. But there is no law requiring that to be done. The gentleman from Kansas well remembers that that provision was put on the agricultural appropriation bill very shortly after this lump sum was created for the Chemistry Bureau for the purpose of keeping Congress informed as to the extent to which the department was employing officers who are employed by States and municipalities and who are paid out of this lump fund for that purpose or performing service for the Federal Government at the same time.

Mr. SCOTT. And the importance of that report may be judged from the fact that in the report for 1909, which I hold in my hand, there appear the names of 23 persons, and the total amount appropriated for their salaries and expenses was but a little over \$5,000.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. COOPER of Wisconsin. Mr. Chairman, I ask that the gentleman's time may be extended for three minutes.

Mr. TAWNEY. The gentleman has not answered my question.

Mr. SCOTT. I did answer the gentleman's question by saying that the law—

The CHAIRMAN. The time which expired was the time of the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman, I ask unanimous consent that my time may be extended five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none.

Mr. SCOTT. The answer to the question of the gentleman from Minnesota is this, that the information about which he inquires does appear in the annual statement of expenditures, which of course is required by law.

Mr. TAWNEY. But this specific information is not required to be embodied in any report by any other law than this.

Mr. SCOTT. There is required to be embodied in the annual report a detailed statement of every dollar expended, and of course the money expended for the purposes referred to by the gentleman from Minnesota must be therein included.

Mr. FITZGERALD. I imagine that the trouble is that the department has proceeded upon a very erroneous theory. The law requires that certain detailed reports be made to Congress. It appears from the statement of the gentleman from Kansas that the department is incorporating all of the information required to be submitted to Congress in one document. Then it is assumed that because Congress at different times enacted a provision requiring a detailed statement of expenditures under some new appropriation that it would require a separate report, or, rather, require a report to be submitted in a separate document, rather than to have it included in the document containing these other reports. Now, there is nothing that requires the department to submit a detailed report of the same expenditures in a separate document. These provisions were enacted at different times and upon different appropriations. I doubt whether anybody could construe this provision as requiring the department to submit separately a report which was submitted in connection with some other report regarding some other expenditure—

Mr. MANN. Will the gentleman yield?

Mr. FITZGERALD. Now, to illustrate that, one requirement which the gentleman proposes to repeal in the following section is the one requiring a detailed report of the traveling expenses of persons sent out from Washington. That applies to the Department of Justice, and the Attorney General includes the information in his annual report for this year.

No one assumes for an instant that because it is included in his annual report he is also required to submit it in a separate document to Congress. That seems to be the only trouble here, that the department assumes that it is required to make three separate reports—

Mr. MANN. It has under existing law, and the gentleman wants to preserve the law in that shape.

Mr. FITZGERALD. I do not; I wish to preserve the law which requires the submission of the reports; and there is no other law to which anyone has made reference which requires this report instead of the ones proposed to be repealed.

Mr. MANN. The Department of Agriculture always had to make a report.

Mr. FITZGERALD. Where is the provision which would require these reports?

Mr. MANN. Following the Littlefield investigation, this provision was put in for the purpose of having a detailed report. The first report that came in was a very bulky document. I saw it in the Speaker's room, and was asked by the Speaker at that time whether, in my judgment, it ought to be printed. I told him it ought not to be printed, but it ought to be submitted to Mr. Littlefield, chairman of the committee, who had asked it, for the purpose of seeing whether it ought to be printed or not. When he saw it he thought it ought not to be printed and ought not to have been called for in that shape, and that it was ridiculous to keep the law in that shape.

Mr. FITZGERALD. If the gentleman had seen this report sent in in the original form he would say that it should not be printed, either.

Mr. MANN. I should say it should be printed. The gentleman is mistaken.

Mr. FITZGERALD. It was not then printed, and it would have appeared as the other documents did.

Mr. MANN. If the gentleman had examined this other report, or any other gentleman on the Committee on Appropriations, there would be no controversy about it.

Mr. SCOTT. Will the gentleman from New York allow me to make a very brief statement?

Mr. FITZGERALD. I will yield the floor and let the gentleman take it.

Mr. SCOTT. I would like the attention of the committee while I make a brief statement as to the character of the reports which we are seeking here to eliminate. I particularly desire the attention of the gentleman from New York [Mr. FITZGERALD]. There are seven of these reports. The first is the three-year report, of which I have already spoken, the one which contains in parallel columns the details of the items of expenditure in the preceding fiscal year, in the current year, and the estimates for the next fiscal year. Certainly the gentleman would not contend that the Secretary of Agriculture should include this publication, which was specifically called for by act of Congress, in the statement of annual expenditures in the department, because it is a different thing from the annual expenditures of the department, and there is not a figure or fact in it which can not be ascertained by reference to other documents, the publication of which nobody pretends to interfere with.

The second report which we ask to eliminate is that calling for a statement of appointments, promotions, and changes in salaries paid from lump sums in the Department of Agriculture. There is a report which is not required, as I understand it, from any other department in the Government, and it is filled with a list of the names of the employees in the department, and a little brief paragraph of information in relation to their transfer from one place to another, or their promotion and salary, or their appointment, or some trivial fact which is of no importance to Congress whatever. Let me read one of these paragraphs, to illustrate:

Max Wolfe, clerk, at \$1,000 per annum, promoted to \$1,200 per annum, etc.

And it contains information as to the period during which the employee was in the service, the place at which he was engaged, the place from which he was taken, and the place he now occupies; and the book is filled with very interesting news composed of items of that sort. Certainly it can not assist any committee in this House in the transaction of its business.

Mr. FITZGERALD. Let me suggest to the gentleman, though, that there have been other promotions in that department—of persons employed under those lump-sum appropriations—that would be much more interesting to the House and the country if the gentleman would read them, than the one which he has just read of the gentleman who had been promoted.

Mr. SCOTT. I read at random, and I beg to suggest to the gentleman from New York that the Secretary of Agriculture reports in the estimates every year to the Committee on Agriculture the salaries which he pays out of his lump-sum funds. The cost of this publication is \$9,290 a year.

The next report which we propose to eliminate is a statement as to the employment of persons in the meat-inspection service for each fiscal year, and there is a long line of the names of the men who are hired to carry out the meat-inspection laws. I can not conceive of what interest it is to any Member of this House.

Mr. FITZGERALD. It is contained in the statement of expenditures which the gentleman thinks is so valuable, and one of the reasons given for the abandonment of the report is that it is already published. If it is published in this document, why have it published a second time? That is not necessary. The information the gentleman believes to be most valuable, because it is contained in the very publication he has mentioned, and is submitted to Congress for its information.

Mr. SCOTT. I believe, of course, there should be printed every year a detailed report of the expenditures of the department, but this report contains information which is not required in the detailed expenditures report—information, for instance, as to the period in which the employee was in the service, the place at which he was engaged, the place from which he was taken, and the place he now occupies. All of this was required by the provision calling for the publication of this report, which distinguishes it from the report to which the gentleman has referred and makes it necessary to make a separate document of it.

Mr. BURLISON. What is the cost of that report?

Mr. SCOTT. The cost of the publication of this report is \$1,300 a year.

The fifth document which we ask to eliminate is that reporting the operations of the Bureau of Animal Industry for each year. That is but little more than a reprint of the annual report of the Chief of the Bureau of Animal Industry. It adds to that report a statement of the disbursements from the appropriations, giving the names of the parties to whom such disbursements were made and the purposes for which they were made. It reports in detail the inspection of imported animals. It contains reports of investigations and experiments in the dairy industry, and it has reports covering the laboratory and library force in Washington, and so on, a lot of information which, I

venture to assume, no Member of this House has ever made any practical use of.

Mr. YOUNG of New York. What does the publication of that report cost?

Mr. SCOTT. The publication of that report costs \$1,350.

The sixth report which we ask to have eliminated is what we call the "travel" report. It gives the expenditures for travel to points outside of the District of Columbia performed by employees of the Department of Agriculture. Now, I want to call particular attention to this report, because I think there are some gentlemen here who, while they may see no use for the publication of the other reports, may still think there is use in having the publication of this one continued. This report calls for a statement of expenditures for travel only from Washington to points outside of the District of Columbia. Now, there is a very large proportion of the employees in the Department of Agriculture that never come to Washington and yet who travel over the country on official business and send in their bills for travel pay.

Mr. TAWNEY. Will the gentleman permit me to interrupt him there?

Mr. SCOTT. Yes; certainly.

Mr. TAWNEY. That statement is in reference to the travel of employees in the field service as contradistinguished from the employees in the department proper?

Mr. SCOTT. Yes.

Mr. TAWNEY. That is recognized in the provision requiring the publication of this report. Those people in the field service are required to travel all the time. But the officers and employees in the executive department of the Government here in Washington are not employed for the purpose of going out through the country and delivering addresses in the Congressional districts of Members of Congress.

Mr. SCOTT. I merely called attention to the fact that—

Mr. TAWNEY. I may say to the gentleman from Kansas that that has been done, and that was the practice before this report was required.

Mr. SCOTT. And it is just as much practiced now as it was before.

Mr. TAWNEY. Pardon me, but I beg to differ with the gentleman. If he will compare the report for the fiscal year 1909 with the report for the fiscal year 1910 he will find that when the attention of the department was called to this subject, and after the department was criticized for sending officers and employees of the department into congressional districts on the invitation of Members of Congress to address their constituents, no officer or employee of the department engaged in that practice during the fiscal year 1910 and that only a few officers of the department traveled outside of the District of Columbia for the purpose of delivering addresses, and they were limited to addresses delivered before agricultural societies.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. SCOTT. Mr. Chairman, I ask unanimous consent that I may proceed for five minutes.

The CHAIRMAN. The gentleman from Kansas, in charge of the bill, asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MANN. Mr. Chairman, I want to suggest to the gentleman in charge of the bill that we do not want to confuse the different propositions. The proposition which he is discussing is not in the paragraph now under consideration.

Mr. SCOTT. It will be presented later.

Mr. MANN. A point of order was made on the one paragraph, and I understood that a motion was going to be made to strike out. The gentleman ought to make his statement to the House on that in order that the House may get the full benefit of it.

Mr. SCOTT. I was under the impression that a point of order had been made on all the paragraphs in relation to these various reports, and that there was a general objection against all of them.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to know what is the meaning intended to be given to two words which appear in this paragraph, in line 16. I will begin and read back from line 12—

requiring the Secretary of Agriculture to submit to Congress classified and detailed reports of receipts and classified and detailed estimates and reports of expenditures by the Forest Service, and classified and detailed estimates and reports of every subject of expenditure by the Agricultural Department.

In line 14 the words are:

Detailed estimates and reports of expenditures.

In lines 15 and 16:

Detailed estimates and reports of every subject of expenditure.

Why are the words "subjects of" put in there? I notice that the book which the gentleman read from was called a detailed statement of expenditures. Is there any reason why those words "subject of" are put in there?

Mr. SCOTT. I think it was intended to call for what the book actually publishes.

Mr. MANN. It refers to two different provisions in the agricultural bill of that year, offered at different times, I think.

Mr. SCOTT. The report covered by the language which the gentleman has quoted is what we call the three years' report, and in addition to the report of the receipts and expenditures in connection with the Forest Service it contains, as I have already said, a detailed statement of the expenditures for the preceding fiscal year, for the current fiscal year, and estimates for the succeeding year.

Mr. COOPER of Wisconsin. It contains a detailed statement of the expenditures, but are not the words "subject of" superfluous?

Mr. MANN. It was construed by the department to mean an actual detailed report, not a lump-sum report. That is the trouble with it.

Mr. SCOTT. For example, under the provision of this language there appears in the report a long statement upon the Dickinson (N. Dak.) dry-land project, describing the location of the project and the work that is going on there and the results that have been obtained, occupying a space of 4 or 5 inches on the page, which I open at random.

Mr. MADDEN. Does not the gentleman think that that is a good thing to do?

Mr. SCOTT. That is information which always appears in the hearings before the Committee on Agriculture, and which I venture to say no Member of this House knew was in this report until I called attention to it just now.

Mr. MADDEN. Does not the gentleman think a comparative statement of expenditures of one year with another is a good thing to have?

Mr. SCOTT. I do; but the information is available from other sources.

Mr. MADDEN. Does not the gentleman think it ought to be in one volume, so that all the information can be obtained by a study of that volume?

Mr. MANN. It is now.

Mr. MADDEN. Does not the gentleman think that the subject ought to be dealt with, and that the detailed cost of the subjects should be given in the report?

Mr. SCOTT. I have had a good deal of experience in the preparation of the appropriation bill for the Department of Agriculture, and it seems to me that if this report would be useful to anyone, it would be to members of the Committee on Agriculture; but I wish to say to the gentleman and to this House that I have not been able to make any use whatever of this report, and I do not believe any other member of the committee has, because the information comes to us in a much more satisfactory and available form from other sources.

Mr. Chairman, I ask that the point of order may be disposed of as to the first paragraph, which relates to this three-year report.

The CHAIRMAN. The Chair understood the gentleman from New York to withhold his point of order. Does the gentleman now make it?

Mr. FITZGERALD. I am not interested in the publication of the three-year report.

Mr. SCOTT. That is the one referred to in this paragraph.

Mr. FITZGERALD. As far as I am concerned, I am willing to withhold the point of order as to that part of the paragraph, if it can be done.

Mr. MANN. That paragraph is not objectionable. Some of the others are, but that is not.

Mr. FITZGERALD. There is no other requirement that I can find in the statutes affecting the Department of Agriculture that compels a detailed estimate of the meat-inspection fund and a report. I believe that should be retained in the law. The department can publish that all in one document if it desires. As to the law requiring a report every three years, I care nothing about that.

Mr. MANN. What the gentleman says about the Bureau of Animal Industry is not in this paragraph.

Mr. FITZGERALD. I did not say the Bureau of Animal Industry.

Mr. SCOTT. If the gentleman from New York will read section 1282 of the thirty-fourth volume of the Statutes at Large he will find the provision.

Mr. FITZGERALD. Will the gentleman from Kansas read it?

Mr. SCOTT. It was a provision in an appropriation bill, and I have not it at hand.

Mr. MANN. I took the trouble to read it a few years ago, and although I can not tell the gentleman what it is I can state what my impression of it was. I could not do it in the House, because I would not be allowed to use the appropriate language.

Mr. SCOTT. I have gone over the matter very carefully, and I give the gentleman from New York my assurance that the language in the bill, from line 12 to line 16, inclusive, refers only to what we call the three-year reports.

Mr. FITZGERALD. I have no reason to doubt the gentleman's statement, and I accept it.

Mr. SCOTT. Then the point of order applies next to the following language: "Statement showing all appointments, promotions, or other changes made in the salaries paid from lump funds." That is the report which I said cost over \$9,000. It is a volume of 478 pages, and is filled with a lot of trivial information.

Mr. BOOHER. Mr. Chairman, if the gentleman will yield—

Mr. SCOTT. Certainly.

Mr. BOOHER. At the last session of this Congress we passed a resolution refusing to print last year's report; that is, the report for 1910.

Mr. FITZGERALD. Oh, it was probably passed when nobody knew anything about it.

Mr. BOOHER. It was passed in the House.

Mr. MANN. I think the resolution did not pass.

Mr. BOOHER. Yes; it passed at the last session; it is numbered 735 and was introduced by the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. SCOTT. Mr. Chairman, I understand the gentleman from New York withdraws his point of order on the second proposition.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. SCOTT. Certainly.

Mr. COOPER of Wisconsin. I would like to ask the gentleman if this will do away with the publication of reports so that there will be no way of knowing how these lump-sum appropriations are expended.

Mr. SCOTT. Not all. The estimates that come up set out the names of everybody employed under the lump-sum appropriation and the amount of salary paid.

Mr. COOPER of Wisconsin. I simply want to say that I think the mere fact that they are published—although no Member of the House may read it—the mere fact that it is made public is a strong insurance against the improper expenditure of the money.

Mr. SCOTT. Yes; and, furthermore, every item of the expenditure is included in another publication which we do not intend to interfere with.

We now pass to the third provision, beginning in line 18, "Statement showing the number of persons employed in meat-inspection work, the salary or per diem paid each, together with the contingent expenses of such inspectors and where they have been and are employed."

Mr. FITZGERALD. That information should be published. That prevents undue favoritism and gross abuse and injustice in the department in the way of promotion.

Mr. COOPER of Wisconsin. It is the only thing that will prevent it.

The CHAIRMAN. The Chair will admonish the committee that the proceedings are so informal that the Clerk has difficulty in keeping track of the situation.

Mr. FITZGERALD. Mr. Chairman, the point of order has been withdrawn on all of the language down to and including the word "fund," in line 18. Now, the language just read by the gentleman from Kansas [Mr. Scott] will prevent abuse in matters of promotion out of these lump appropriations. That information should be available for the use of Members.

Mr. MANN. Is not that information also published under section 11 of the act of 1884?

Mr. FITZGERALD. I think not.

Mr. MANN. Requiring the Bureau of Animal Industry to furnish a detailed report?

Mr. FITZGERALD. No; because it does not require this particular information to be submitted.

Mr. MANN. It requires a detailed report from the Bureau of Animal Industry, and they have charge of this work.

Mr. FITZGERALD. Yes; but it does not contain the specific information called for because I have examined those reports.

Mr. MANN. I have not examined the reports, but I have examined the laws, and they absolutely duplicate each other.

Mr. FITZGERALD. I have examined the report and it does not contain that information, and that is the only information that makes the report of value. The mere fact that John Jones is receiving \$1,200 does not make any difference, but if he is receiving \$1,200 a year and in six months is promoted to \$1,800 a year, while some other man who has been there for six years does not receive any promotion, it is information of great value. I make the point of order against the balance of the section.

Mr. SCOTT. Mr. Chairman, I concede the point of order as to the language covered from the semicolon in line 18 to the semicolon in line 22.

Mr. MANN. Mr. Chairman, before we proceed I would like to find out what the point of order has been made on. I understood the gentleman to withdraw his point of order on all of the language of the paragraph down to and including the word "funds" in line 18, and that does not leave the paragraph so that it makes sense. I suppose it may be desirable to have it so that we may know what it means.

Mr. SCOTT. I understand the gentleman has not insisted on his point of order on all the remainder of the paragraph.

Mr. MANN. Let us find out how it begins first.

Mr. SCOTT. I understood him to insist on his point of order for the present only as to the language I have just indicated, covering this report of promotions, and so forth, under the meat-inspection law. I would be very glad if the gentleman from New York would proceed in that manner to dispose of the question in a regular way.

Mr. FITZGERALD. I desire to have retained the law requiring the information about the meat-inspection law and the payments to employees of State, municipal, and county governments.

Mr. SCOTT. Then let the gentleman make his point of order to the language from the word "funds," in line 18, to and including the word "employed," in line 22, and that will take care of the promotion report.

Mr. TAWNEY. You want to include down to the word "government," in line 3, leaving the words "are hereby repealed," on page 80—beginning after the word "funds," in line 18, down to and including the word "government," in line 3 on page 80, so that it would leave "are hereby repealed."

Mr. FITZGERALD. Yes.

Mr. TAWNEY. The gentleman is perfectly willing to repeal that part of the paragraph, but he wants to retain the balance of the paragraph down to the end of the paragraph on page 80.

Mr. SCOTT. I accept that suggestion and concede the point of order as to that language.

The CHAIRMAN. Then the Chair understands that the gentleman from New York makes the point of order on the language beginning with the word "and," in line 18, page 79, down to and including the word "government," in line 3 on page 80. Is that a correct statement of the language included in the point of order?

Mr. FITZGERALD. That is correct.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

That section 11 of the act approved May 29, 1884, entitled "An act for the establishment of a Bureau of Animal Industry," etc., is hereby repealed.

Mr. FITZGERALD. Mr. Chairman, I reserve the point of order against this paragraph, and I desire to read what the gentleman proposes to repeal. Section 11 of the act approved May 29, 1884, is as follows:

That the Commissioner of Agriculture shall report annually to Congress at the commencement of each session a list of the names of all persons employed, an itemized statement of all expenditures under this act, and full particulars of the means adopted and carried into effect for the suppression of contagious, infectious, or communicable diseases among domestic animals.

Does the gentleman say that the information required by this provision is of such a character that it should not be published? Is it not some of the most valuable information published by the Department of Agriculture?

Mr. SCOTT. May I inquire from what law the gentleman is reading?

Mr. FITZGERALD. From section 11 of an act approved May 29, 1884, entitled "An act to establish a Bureau of Animal Industry."

Mr. SCOTT. The information which is really useful in this report is given in the annual report of the Chief of Animal Industry.

Mr. FITZGERALD. It is because the law requires it to be transmitted to Congress and published, but if the requirement that it shall be published be repealed it may not be published.

Mr. TAWNEY. It may or may not.

Mr. FITZGERALD. So the gentleman is proposing to repeal a law requiring the publication of some of the most valuable information to the farmer acquired by the Department of Agriculture. I know he did not intend to do that.

Mr. SCOTT. I certainly did not intend to prevent the publication of the annual report of the chief of the bureau, and I was not aware that the language used would permit any such construction. I desired to eliminate a report which seemed to me to be a mere duplication of information found in a number of other reports, and I will not argue the question further.

Mr. FITZGERALD. The gentleman does not wish this provision in, I am sure, and I will insist upon my point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

That the provisions of section 4 of the act approved May 22, 1908, entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government," etc., are hereby repealed in so far as such provisions relate to the Department of Agriculture.

Mr. TAWNEY. Mr. Chairman, I reserve the point of order on this item for the present. What we ought to do is to strike the paragraph from the bill by a vote of the committee, so that when the bill goes to the Senate the Senate will have some evidence of the attitude of the House on the proposition for a repeal of this law, a provision of law which, to my mind and in the judgment of the heads of the department is of very great value and assistance to them in the administration of their departments. It is only a year ago last spring that the Secretary of Agriculture himself said to me that this provision of law which requires him to report to Congress every year the names of the persons in his department traveling outside of the District of Columbia, the object of the travel, and the cost of that travel was one of the most important aids to him in the administration of his department, and he illustrated that by saying:

It was only a few days ago that some of my boys came to me and wanted to take a trip to Europe for certain investigative purposes, and I said to them, "Why, boys, you know we must now report to Congress the cost of all travel of that kind, and it would not look very well on a report of that kind, which we must submit to Congress under existing law, to state the cost of a trip of that kind."

Now, when the report for 1909 came in here, which was the first report made under this provision of law, it was found that there were a great many employees in the Agricultural Department detailed for the purpose of delivering addresses on various subjects, on the request of Members of Congress, and who were accompanied by Members of Congress personally through their districts, the Member presiding at the meeting and the officer of the Agricultural Department delivering an address, always expressing some fine complimentary speech regarding the Member, and thereby insuring his return to Congress. [Laughter.] That fact was exposed on the floor of the House a year ago, and I find in going through the report of expenditures of the Agricultural Department on account of travel for the fiscal year 1910 there is not a single, solitary lecture of that kind reported. According to this report, there was not a single, solitary officer of the department who delivered any address upon the invitation of Members of Congress.

Mr. MANN. Will the gentleman yield for a question?

Mr. TAWNEY. I will.

Mr. MANN. Does the gentleman propose to move to strike this language from the bill?

Mr. TAWNEY. I move to strike the paragraph from the bill.

Mr. MANN. Mr. Chairman, I ask for the regular order.

Mr. TAWNEY. I withdraw the point of order and move to strike the paragraph from the bill, so that we may have some expression in regard to it.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 80, strike out lines 14 to 18, inclusive.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

That hereafter the Department of Agriculture shall not be required to prepare and to transmit the annual report of publications received and distributed by said department.

Mr. MANN. Mr. Chairman, I reserve a point of order on that. Why should they not give us an annual report of the publications?

Mr. SCOTT. It merely seemed to the committee that it was a useless report, because it contained nothing except a list of bulletins, which is to be had by application to the department at any time. The department publishes, as the gentleman knows, a list of its bulletins.

Mr. MANN. Is there any other way of ascertaining the number of these publications that are issued?

Mr. COOPER of Wisconsin. By figuring them up yourself.

Mr. MANN. How can you figure them up yourself? I mean, the number of copies that are issued of any publication.

Mr. SCOTT. I do not know whether this information is available in any other publication or not. It is a small matter of \$283, and I am not disposed to insist upon it.

Mr. MANN. I think it is desirable to have it. I make a point of order on the paragraph.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk resumed and completed the reading of the bill.

Mr. MARTIN of South Dakota. Mr. Chairman, in the reading of the bill the paragraph pertaining to dry farming, on page 21, was passed without prejudice. I desire that the committee return to page 21, so that I can offer an amendment.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 21, lines 17 and 18, strike out "forty-six" and insert "fifty-six."

Mr. MARTIN of South Dakota. Mr. Chairman, the amendment which I propose would add \$10,000 to the appropriation for carrying on dry farming experiment stations in the Great Plains region of the West. The committee had put into this bill—

Mr. MANN. Will you agree not to make a speech if we vote for it?

Mr. MARTIN of South Dakota. I will agree not to make a speech if you will vote for it.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

Mr. MARTIN of South Dakota. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

Mr. SCOTT. Mr. Chairman, I ask unanimous consent that the last three lines of the bill be stricken out.

The CHAIRMAN. Is there objection?

Mr. MANN. I would suggest to the gentleman that if he is going to strike out the last three lines he ought to strike out, on page 75, lines 14, 15, and 16, because it says:

Total, Department of Agriculture, for routine and ordinary work—so much money. If one is to stay in, the other ought to stay in, and I think there is no harm in keeping them in.

Mr. SCOTT. Mr. Chairman, I guess they would better both remain in, and I withdraw my request.

Mr. Chairman, I move that the committee do now rise.

Mr. LEVER. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman from South Carolina [Mr. LEVER] rise?

Mr. LEVER. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record on several subjects.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. COLE. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The Chair would ask the attention of the gentleman from South Dakota [Mr. MARTIN]. Did he ask unanimous consent to extend his remarks in the Record?

Mr. MARTIN of South Dakota. I did.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MARTIN of South Dakota. Mr. Chairman, the bill as reported from the Committee on Agriculture carried \$46,730 for dry-farming experiments. This is sufficient to carry on the work already inaugurated, but makes no provision for the establishment of new experiment stations. The amendment which I proposed and which the committee has now adopted will make it possible to establish one or, possibly, two new Government stations. At present there are three regular Government experiment stations carrying on this work—two in Texas and one in Colorado. In addition to these, the department is maintaining one or more assistants at State experiment substations, where the department is cooperating with the State authorities.

Dry farming is only another name for thorough, scientific farming in the Great Plains region. For the last few years the increase in our agricultural products has not kept pace with the demands from our increasing population. Some wise men are prophesying that in 10 years we will be producing no more agricultural products than we consume at home, leaving us nothing in food products for exportation. We have but three sources from which we may hope to change this possible tendency; first, more intensive cultivation in the humid regions;

secondly, irrigation of arid lands; and, thirdly, successful scientific farming in the semiarid territory.

The semiarid region as generally classified embraces more than 200,000,000 of acres of good soil, but has the difficult problems of conservation of moisture, improved methods of cultivation, and selection and adaptation of seeds and plants to solve. The experiments now being made are extremely helpful, but the Department of Agriculture ought to receive each year an increase in appropriations for this purpose that will permit of enlargement of the fields of experimental operations. There is such a variety of climate and soil over this vast area that results in one locality are not conclusive as to other localities. These experimental stations, therefore, should be as numerous and as well distributed as practicable. Thousands of new settlers are coming into this semiarid region each year. They are scarcely in position to carry on experimental work independently. They must select the most promising crop and devote their attention to that. All experiments carried on by the Government are being placed in the form of bulletins each year, which are eagerly sought by the settlers. There is no single field of agricultural exploration that promises to bring so large returns to our permanent agricultural production as these efforts in the region of the great plains.

Mr. SCOTT. Mr. Chairman, I move that the committee do now rise and report the bill to the House, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GAINES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 31596, the agricultural appropriation bill, and had directed him to report the same back to the House, with sundry amendments, with a recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote asked on any amendment?

Mr. SCOTT. There is none.

The SPEAKER. Then the vote will be taken on the amendments en gross.

The question was taken, and the amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was accordingly read the third time.

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion of Mr. SCOTT, a motion to reconsider the vote by which the bill was passed was laid on the table.

BOUNDARY LINE BETWEEN TEXAS AND NEW MEXICO.

Mr. BOUTELL. Mr. Speaker, I rise to present a report from the Committee on Rules. The Committee on Rules directs me to report back House resolution 923, with the recommendation that it be agreed to, with an amendment.

The SPEAKER. The gentleman from Illinois [Mr. BOUTELL] reports from the Committee on Rules, by the direction of that committee, the following resolution (H. Res. 965), with an amendment, which the Clerk will read.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution the House shall proceed to the consideration in the House, as in Committee of the Whole, of Senate joint resolution 124, reaffirming the boundary line between Texas and the Territory of New Mexico: *Provided*, That there shall be one hour of general debate before the reading of the bill for amendment.

The Clerk also read the following amendment:

That at the conclusion of the reading of the resolution under the five-minute rule, the previous question shall be considered and ordered to the resolution and all amendments to its final passage.

Mr. MANN. Will the gentleman yield?

Mr. BOUTELL. Certainly.

Mr. MANN. If I heard the resolution aright, it requires one hour's general debate.

Mr. BOUTELL. Since that resolution was reported the objections which it was supposed would be urged on the floor of the House on behalf of New Mexico have been withdrawn. The gentleman from New Mexico [Mr. ANDREWS], who is present in the House, assures me that the objections heretofore urged by him and by others in behalf of the people of New Mexico have been withdrawn.

Mr. STEPHENS of Texas. I will state, Mr. Speaker, that the first bill—

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from Texas?

Mr. BOUTELL. I yield; certainly.

Mr. STEPHENS of Texas. The first bill, that was objected to on the floor of the House and that failed of consideration, defined the boundaries between New Mexico, Oklahoma, and Texas. Oklahoma was left out. On the objection of the gentleman from Oklahoma [Mr. CARTER] that part of the bill has been eliminated, so that now there is no question in the way except as between Texas and New Mexico, and that has been adjusted. The governor of New Mexico is now in the city, and he is satisfied with the provisions of the resolution. The President has sent a special message to Congress on the subject.

Mr. BURLERSON. Let it go, then.

Mr. BOUTELL. The object of the rule is plain, Mr. Speaker. It brings immediately before the House for consideration, in accordance with the rules applicable to bills on the Union Calendar, Senate joint resolution 124. This joint resolution has for its object the settlement of the disputed boundary line between the State of Texas and the Territory of New Mexico.

The parliamentary status of the Senate joint resolution 124 is briefly this: It has passed the Senate without opposition. It has been unanimously reported by the Judiciary Committee of the House. Its passage is recommended by the President of the United States. On the recognition of the Speaker, the gentleman from Texas [Mr. STEPHENS] asked unanimous consent to consider the bill two weeks ago. Objection was made. Under these circumstances and considering the fact that the measure involves the rights of a sovereign State and a Territory soon to come into the Union as a State, as well as the title to large tracts of land, it seemed to be a matter peculiarly falling within the province of the Committee on Rules. I therefore introduced this resolution, which now comes before the House, with a unanimous report of the Committee on Rules.

Mr. MANN. Mr. Speaker, will the gentleman agree to an amendment?—to insert the words "not to exceed" after the word "be," on the fifth line, so that the proviso would read:

Provided, That there shall be not to exceed one hour of general debate before the reading of the bill for amendment.

As it is provided under the terms of the bill, the House can not commence to consider the bill until after one hour's debate. I do not think the language is necessary.

The SPEAKER. Is there objection?

Mr. BOUTELL. That is the language of a proviso; but in order to avoid doubt on the subject, I will ask unanimous consent that the proviso shall be so amended as to read, "That there shall be not to exceed one hour of general debate before the reading of the bill for amendment." There will now probably be no general debate.

The SPEAKER. Is there objection?

There was no objection.

Mr. BOUTELL. On that I move the previous question.

The SPEAKER. The question is on ordering the previous question on the resolution and the amendments thereto.

The previous question was ordered.

The resolution as amended was agreed to.

The SPEAKER. The Clerk will report the joint resolution referred to in the above order.

The Clerk read Senate joint resolution 124, reaffirming the boundary lines between Texas and the Territory of New Mexico, as follows:

Whereas the constitutional convention recently held in the Territory of New Mexico submitted for acceptance or rejection the draft of a proposed constitution for the State of New Mexico, to be voted upon by the voters of said proposed new State on the 21st day of January, 1911, which proposed constitution contains a clause attempting to annul and set aside the boundary lines heretofore legally run, marked, established, and ratified by the United States and the State of Texas, said lines between the Territory of New Mexico and the State of Texas having been run by John H. Clark, the boundary commissioner acting for the United States in 1859 and 1860, the said lines being now known and recognized as the Clark lines; and

Whereas the United States and the State of Texas have patented land based upon the Clark lines as the boundary between Texas and the Territory of New Mexico: Therefore be it

Resolved, etc., That any provision of said proposed constitution that in any way tends to annul or change the boundary lines between the State of Texas and the Territory or State of New Mexico shall be of no force or effect, but shall be construed so as not in any way to change, affect, or alter the said boundary lines known as the Clark lines and heretofore run and marked by him as a commissioner on the part of the United States and concurred in by the State of Texas, and the former ratification of said Clark lines by the United States by the act approved March 3, 1891, and the State of Texas by the joint resolution passed March 25, 1891, shall be held and deemed a conclusive location and settlement of said boundary lines.

SEC. 2. That the President of the United States is hereby authorized, in conjunction with the State of Texas, to reestablish and re-mark the boundary lines heretofore established and marked by John H. Clark between New Mexico and the State of Texas, and for such purpose he is hereby authorized and empowered to appoint a commissioner, who, in conjunction with such commissioner as may be appointed by and on behalf of the State of Texas for the same purpose, shall re-mark the boundary between the Territory of New Mexico and the State of Texas, as follows: Beginning at the point where the one hundred and third degree of longitude west from Greenwich intersects the parallel of 36° and 30' north latitude, as determined and fixed by John H. Clark,

the commissioner on the part of the United States in the years 1859 and 1860; thence south with the line run by said Clark for the said one hundred and third degree of longitude to the thirty-second parallel of north latitude to the point marked by said Clark as the southeast corner of New Mexico; and thence west with the thirty-second degree of north latitude as determined by said Clark to the Rio Grande.

SEC. 3. That the part of the line run and marked by monuments along the thirty-second parallel of north latitude and that part of the line marked by monuments along the one hundred and third degree of longitude west from Greenwich, the same being the east and west and north and south lines between Texas and New Mexico, and run by authority of the act of Congress approved June 5, 1858, and known as the Clark lines, which said lines as run by said Clark have been confirmed, as aforesaid, by the act of Congress approved March 3, 1891, and the joint resolution of the Legislature of Texas passed March 25, 1891, shall remain the true boundary lines of Texas and New Mexico: *Provided*, That it shall be the duty of the commissioners appointed under this act to re-mark said old Clark monuments and line where they can be found and identified by the original monuments now on the ground, or where monuments are now missing or the lines can not be found, but their original position can be shown by competent parol evidence or by the topographic maps or field notes made by said Clark, the monuments so found or their position so identified shall determine the true position and course of the boundary lines as marked by said Clark to the full extent of the survey made by him, and where no survey was actually originally made on said lines it shall be the duty of the said commissioners to run a straight line between the nearest points determined by the Clark map, field notes, and survey, and when said straight lines have been so run, marked, and agreed upon by the commissioners they shall thereafter form the true boundary lines.

SEC. 4. That the sum of \$20,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the purposes of this act: *Provided*, That the person or persons appointed and employed on the part of the State of Texas shall be paid by the said State.

Mr. STEPHENS of Texas. Mr. Speaker, I desire to call the attention of the Members of this House to the fourth section of the act of May 9, 1850, known as the Clay Compromise Act. This act reads as follows:

SEC. 4. The establishment of the present boundary line between Texas and New Mexico and the payment to Texas for surrendering New Mexico the sum of \$10,000,000 from the National Treasury.

Mr. Speaker, at this time there was no Territory named Arizona, and all the territory between Texas and California was known as New Mexico, hence this law recognized that Texas owned—as she had always claimed—the Territory of New Mexico, which now includes Arizona.

New Mexico contains 122,460 square miles and Arizona contains 113,020 square miles; thus it is shown by the language of this act of Congress that the United States bought from Texas for \$10,000,000 the 235,480 square miles of territory, or 150,707,200 acres of land, the same now comprising the territory of the two new States soon to be admitted into the Union.

Mr. Speaker, it must appear to a casual observer that Texas made a very bad bargain in selling nearly one-half of her territory for less than 7 cents per acre—the present boundaries contain 265,780 square miles—and it must be remembered that Texas ceded at the same time to the United States a part of the present territory now comprising the States of Colorado, Wyoming, Kansas, and Oklahoma. All of this territory would reduce the price paid Texas to less than 5 cents per acre.

Mr. Speaker, the gentleman from New York [Mr. PAYNE] during the last session of this Congress said this land was worth \$20 per acre, and by means of his great power as leader of the majority party of this House prevented the passage of this bill at that time. In his speech on that occasion against my bill establishing the one hundred and third meridian, he said:

That line there, I think, is about 600 miles—the whole line along the Texas border on the west, between that and New Mexico.

He was interrupted by Mr. STEPHENS of Texas, who said:

To be exact, it is 310 miles.

The misstatement of the figure is obvious.

Mr. PAYNE then said:

Oh, if the gentleman had less zeal, and had pursued this matter a little more in the line of openness from the beginning of the time he referred this joint resolution until now, he would appear better in correcting a few mistakes of that kind.

After Mr. PAYNE made this discourteous and unwarranted statement about me, he refused to answer any question I desired to ask him, and as he had the closing speech, I have had no opportunity to reply to him.

Mr. Speaker, there is quite a difference between 600 miles and 310 miles in this that the Clark line, which is established by my bill, is about 2½ miles, on an average, west of the one hundred and third meridian, thus giving Texas about 775 sections, or 496,000 acres, of land more than she was entitled to if Clark had made a correct survey. Mr. PAYNE, in the speech I have quoted, says this land is worth \$20 per acre, or, in round numbers, \$9,920,000. Now, I will submit that if the gentleman from New York is correct with his figures and statements and that strip of land is worth \$20 per acre, then the 150,000,000 acres sold by Texas to the United States would be worth, at the same price per acre, the enormous sum of \$3,000,000,000. But

these amusing statements of the gentleman from New York [Mr. PAYNE] abound throughout his speech. For instance:

In the same speech the gentleman from Wyoming [Mr. MONDELL] asks this question:

The purpose, then, I understand, is to follow the Kidder survey where the Kidder survey gives more land to Texas and to follow the Clark survey where the Clark survey gives more land to Texas.

Mr. PAYNE. Certainly, that is it. And what else do you expect from a gentleman whose State received \$12,000,000 for this land and comes in now, 60 years afterwards, and tries to get it back by reason of an incomplete, unfinished survey, palpably incorrect, and demonstrated to be wrong? Every word of information that I have given you has come from the documents of the United States.

He makes the bald statement that Texas received \$12,000,000 for this little strip of land, and that she is now (by my bill of course) trying to get it back, because of the Clark survey. The facts are that Texas sold about 150,000,000 acres of land—an empire—for \$10,000,000, not \$12,000,000, and the line in dispute is only 310 miles long, not 600 miles, so that the gentleman from New York [Mr. PAYNE] is only 290 miles and \$2,000,000 away from the truth; and yet he asserts that he gets his information from "documents of the United States."

Will a just public opinion charge these misstatements to the gentleman's ignorance of the facts or to his prejudice against Texas? He is not ignorant of the facts, because he knows that this bill does not (as he asserts) try to get it—meaning the land Texas sold to the United States—back; and he knows that it only relates to an infinitesimal part thereof—to wit, 496,000 acres—an amount less than one three-hundredth part of the whole amount of land sold the United States by Texas. Then, if this misstatement is not made ignorantly, it must be through prejudice against the State of Texas. This prejudice is manifest by his language quoted above, namely:

And what else do you expect from a gentleman whose State received \$12,000,000 for this land and comes in now, 60 years afterwards, and tries to get it back, by reason of an incomplete survey, and so forth?

He here clearly charges dishonesty to my State in keeping the money and trying to get back the land. I have already shown that Texas did not receive more than 5 cents per acre for this land and that there are no more than 490,000 acres involved by this disputed boundary. Hence, if the United States should lose this small amount of this vast purchase of land, it would amount to only \$24,800.

What a great difference between this small amount and the \$12,000,000 that the gentleman from New York insinuates the State of Texas is by this bill trying to filch or purloin from the United States. If further proof were wanting of the prejudice harbored in the breast of my New York friend against Texas, I might point to the fact that several years ago I secured a favorable report on a bill introduced in the House by myself providing for the donation of Fort Elliott, an abandoned military reservation and fort situated in the Panhandle of Texas, to the State of Texas for a State normal school and my friend used his great influence against the bill and defeated it, notwithstanding there were numerous precedents for like donations, though they were usually donated to Republican States.

He has since that time sat in his seat and permitted several similar bills to pass, and I have called his attention to his inconsistency with much pleasure. When the bill (presented first by me) placing Texas under the reclamation act was under discussion in the House, it was bitterly opposed by the same gentleman, but it passed the House and Senate and became a law despite the opposition of the same majority leader. When the House was considering the passage of a bill to refund to Texas a considerable sum of money lost to the State of Texas, when the Supreme Court of the United States decided that Greer County belonged to Oklahoma, this old persistent enemy of Texas came again to the front in opposition to this just measure. When in 1903 the bill passed this House authorizing the definite location of the one hundredth meridian between Texas and Oklahoma, which became necessary only after the Supreme Court gave Greer County to the United States, this tried, true, and proven enemy of Texas raised his voice again in opposition to this survey and adjustment.

This location was made by Mr. Arthur D. Kidder, a Government surveyor of first-class ability, and he was authorized, under the said act of 1903, to locate that meridian, and he did in that year locate it. This line so located by Mr. Kidder was known as the Darling line, and it never had been approved, while the Clark line, on the one hundred and third meridian, had been definitely approved and affirmed by the United States and Texas.

My friend from Wyoming [Mr. MONDELL] shows that he was not familiar with this Kidder survey, by asking the gentleman from New York [Mr. PAYNE] this question:

Then the purpose, I understand, is to follow the Kidder survey where the Kidder survey gives no land to Texas and to follow the Clark survey where the Clark survey gives more land to Texas.

Mr. PAYNE answered:

Certainly; that is it.

If the one hundredth meridian, or Darling line, had been approved by the United States and Texas, as the one hundred and third, or Clark line, had been approved, then there would have been some justification for the false position taken by these gentlemen, as indicated by this question and answer.

Mr. Speaker, for a full and better understanding of the questions at issue relative to these lines, I will here insert in the RECORD, as a part of my remarks, the diagram made by Mr. Kidder, the same being part of House Document No. 259, Fifty-ninth Congress, first session.

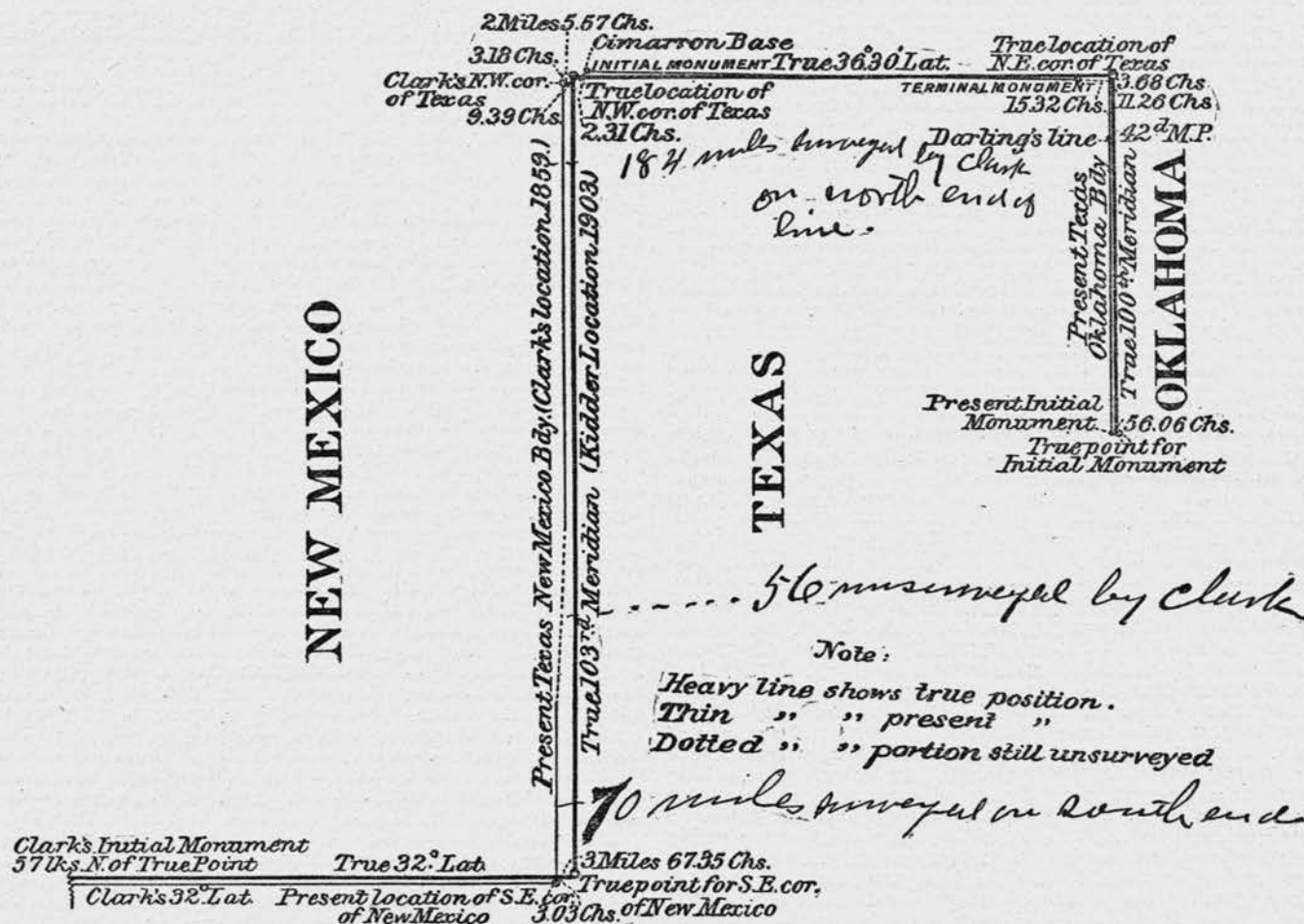


DIAGRAM Showing

The True Locations of the 100th Meridian between Texas and Oklahoma, the Parallel of 36°30' N. Lat. between Texas and Oklahoma, the 103rd Meridian between Texas and New Mexico; and the Parallel of 32° Lat. between Texas and New Mexico, as determined by Arthur D. Kidder, Examiner of Surveys, under instructions from the Commiss'r of the General Land Office, dated March 12th 1903. Field work commenced March 26th 1903 and completed December 20th 1903.

Mr. Speaker, this boundary question should provoke no further criticism or opposition, and I hope that this resolution will pass this House unanimously. The people of Texas and New Mexico alike now desire its passage. Texico is a town on the line in dispute and on the New Mexico side. It has a newspaper called the Texico Trumpet, and in a recent editorial this paper expresses the consensus of opinion of the people of New Mexico in this wise:

BOUNDARY TO BE FINALLY CONFIRMED—THE NEW MEXICO CONSTITUTION OPENS QUESTION AND CONGRESS MUST TAKE DEFINITE ACTION—SURVEY ORDERED—REPORTS FAVOR PRESENT LINE.

WASHINGTON, December 9.

In the act admitting New Mexico to statehood the true boundary line between that Territory and the State of Texas will be fixed by law. This line has been in dispute, and a conference on the subject was held at the White House to-day.

Senators BAILEY and CULBERSON and Representative STEPHENS, of Texas; Delegate ANDREWS, of New Mexico; and John V. Farwell, of Chicago, were with the President for half an hour. Mr. Farwell represents the Farwell estate which built the capitol of Texas many years ago, and received in return a grant of an immense tract of land in the

Texas Panhandle. The disputed boundary line touches a large part of this estate.

The President expressed his desire to have the Clark survey recognized in a manner that will not leave the matter open to dispute. A bill embodying the idea which President Taft has on this subject, and which he will recommend in his message, was to-day drawn by Representative STEPHENS, of Texas.

While Texico and vicinity is in New Mexico, yet we have been for the Stephens measure in preference to our own Delegate on account of purely local conditions. To have the State line moved would seriously hurt our future growth, the town being built solely on the foundation that it was a State-line town. We feel indebted to Mr. STEPHENS for his zealous work in maintaining the present line. Local conditions on either side of the line have been maintained and established and under the jurisdiction of the courts on the supposition that that peaceful possession gave title, and to have it moved would cause much loss in values and an indefinite amount of litigation. Hence we commend the work of Mr. STEPHENS for eventually winning out in the interests of the people along the present State line, and especially those who have invested in Texas property in the disputed strip.

Now that the State line is settled beyond a doubt, it will mean much to both the towns and the country immediately surrounding. Many investments and many citizens have been kept away by the uncertainty, and while we who are acquainted with the history of the State-line question had no doubt of its ultimate solution, the uninformed were not

satisfied with the incomplete boundary. The Stephens resolution covers the ground that we have always maintained, and it is indorsed by the authorities and congressional committees, and so passed by the Senate.

Mr. Speaker, I have a personal pride in securing the passage of this resolution. My connection with this question began while I was a member of the senate of Texas, representing nearly the same counties as I represent now in this House. On March 25, 1891, I secured the passage of a joint resolution through that legislature establishing and accepting on the part of the State of Texas the Clark line, as it was run and marked by him in 1859 and 1860; Congress had on March 3 of the same year confirmed and adopted the same line, but in this language:

That the boundary line between said public-land strip and Texas and between Texas and New Mexico established under the act of June 5, 1858, is hereby confirmed. (26 Stat. L., p. 71.)

Now, my friend from New York [Mr. PAYNE], in his diatribe against Texas on the occasion I have already mentioned, misconstrues this act of Congress, and says that it intends to affirm the purchase act of September 9, 1850, which calls for the one hundred and third degree as the Texas-New Mexico boundary, Mr. PAYNE thus wholly ignoring the fact that the plain language of the act of Congress above quoted states specifically that "the boundary established under the act of June 5, 1858, is confirmed." Mr. PAYNE knew that Mr. Clark did, under that act of 1858, establish the identical line that I now seek by this resolution to re-mark and reestablish.

Mr. Speaker, the actual boundary line in question, as laid out upon the ground and as distinguished from what might be called the astronomical or geographical line, becomes important at this time only because of the probability of New Mexico being admitted into the Union as a State at an early date. An enabling act was passed by the first session of this Congress, enabling New Mexico to call a constitutional convention for the purpose of submitting the same to the people for adoption, and which would become the constitution of the State if admitted to the Union. Mr. Speaker, that convention has been held and a form of constitution adopted. As in all such cases, the convention described the boundaries of the proposed new State and has adopted as its eastern boundary the boundary established by law as the western boundary of Texas, to wit, the one hundred and third meridian of longitude west of Greenwich. And it becomes important to consider whether or not in the acceptance of this constitution by the General Government, either by the President or by Congress, or both, some reference should not be made to the actual boundary line as laid out upon the ground and heretofore accepted by both the Federal Government and the State of Texas, and upon which both jurisdictions have closed their surveys. The above diagram shows in detail these lines, and the dotted lines show how they close the survey by running a straight connecting line where the old line was not run. The actual boundary line as laid out upon the ground and as heretofore accepted by both parties—by the Federal Government by act of Congress and by the State of Texas by the act of its legislature—would be deemed at law to be the one hundred and third meridian, whether the same was precisely accurate or not, astronomically or geographically speaking. Mr. Speaker, both jurisdictions have patented lands to sundry grantees up to the boundary as actually laid out and established by the Clark survey.

This survey can not, after the lapse of more than a half century, be set aside in utter disregard of the vested rights accruing to the owners of the land along that boundary.

Mr. Speaker, this resolution concerns itself mainly with the boundary line between Texas and New Mexico, from latitude 36° 30' north to 32° north, and so far as the same affects what is known as the west boundary line of the Panhandle of Texas.

Mr. Speaker, Texas declared its independence of Mexico in 1835. It was admitted into the Union as a State December 29, 1845. Reference to old maps will show that it then included what are now parts of New Mexico, Oklahoma, Kansas, Colorado, and Wyoming, as I have above stated. I refer, for proof of this statement, to House Document No. 635, Fifty-seventh Congress, first session.

By treaty between the United States and Spain in 1819, the dividing line between the United States and Spain, so far as it affects the question, was agreed to be on the line of longitude 100° west from London, and Texas came into the Union claiming its easterly boundary to be that fixed by treaty between the United States and Spain.

In 1850 Texas sold to the United States, for the consideration of \$10,000,000, all of its territory north of latitude 36° 30' north and west of the one hundred and third meridian of longitude as far south as latitude 32°, as I have shown heretofore and as is shown by House Document No. 635, Fifty-seventh Congress, first session.

The purchase was made by act of Congress approved September 9, 1850. (Stat. L., vol. 9, p. 446.)

Mr. Speaker, the statute in question adopts the longitude of Greenwich as the starting point, probably regarding that the same as London. By this statute, therefore, the boundaries of the Panhandle of Texas seem to have been fixed as follows:

On the east the one hundredth meridian of longitude west from Greenwich.

On the north parallel of latitude 36° 30' north.

On the west the one hundred and third meridian of longitude west from Greenwich. (Stat. L., vol. 9, p. 446.)

Mr. Speaker, this brings us to an important date affecting the boundary line between the Panhandle of Texas and the Territory of New Mexico, June 5, 1858, on which date was approved an act of Congress entitled "An act to authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the Territories of the United States and the State of Texas." (Stat. L., vol. 11, p. 310.)

Mr. Speaker, under the authority of this statute John H. Clark was appointed United States commissioner and surveyor, and he, with commissioners appointed by the State of Texas, established the northwest boundary of Texas in 1859-60. For proof of these statements I refer to House Document No. 635, Fifty-seventh Congress, first session, and House Document No. 259, Fifty-ninth Congress, first session.

This survey is mapped and set out with great particularity in Document No. 635 above referred to.

The Clark survey proceeded about as follows:

In 1859 he ran north on the one hundred and third meridian of longitude from the thirty-second degree of latitude to the thirty-third degree of latitude, erecting three monuments on his way, the last one being at latitude 32° 33'.

He then began at the northwest corner of the Panhandle, at 36° 30' north latitude, and projected the one hundred and third meridian south to the thirty-fourth degree of latitude, and on his way established 22 monuments, the one farthest south being at latitude 34° 14', thus leaving an hiatus unprojected between the two lines sometimes stated as 56 and sometimes as 60 miles. It seems also that the Government surveys of the State of Texas have been closed on the Clark line of survey as being the boundary line between New Mexico and Texas, and both the Government of the United States and the State of Texas have patented and conveyed lands, relying on the boundary line as laid out by Clark.

It seems also that so far as effects the boundary in question, the Clark monuments have been identified and are still identifiable; for proof of these facts I refer to House Document No. 259, Fifty-ninth Congress, first session.

Mr. Speaker, the Clark lines from the northwest corner of Texas south on the one hundred and third meridian was retraced just prior to 1885 under Hon. W. C. Walsh, commissioner general, land office, Austin, Tex. For this evidence see, *supra*, Document No. 259.

Now, Mr. Speaker, notwithstanding all this, some doubt has arisen as to whether or not the Clark survey of the one hundred and third meridian is exactly accurate. It has been claimed, was claimed in fact some years ago, that Clark established the one hundred and third meridian a little to the west of the true astronomical meridian, leaving a strip of land something over two miles wide east and west, and of a considerable length north and south, which might be claimed some time, either by the United States Government or the State of Texas, though both jurisdictions seem to have closed their surveys on the Clark line, and Texas, without objection, had exercised political jurisdiction to the east of it always.

Mr. Speaker, this statement of our case brings us to another important date, March 3, 1891.

On that day the sundry civil act was approved and became a law, and enacted, among other things that—the boundary line between said public-land strip and Texas and between Texas and New Mexico established under the act of June 5, 1858, is hereby confirmed—

thus establishing the Clark survey as the true boundary line between New Mexico and Texas and thus establishing the one hundred and third meridian for boundary purposes as laid out by Clark whether precisely upon the true astronomical meridian or not.

This action of Congress was accepted by the States of Texas by joint resolution of its legislature properly approved.

This line seems again to have been retraced and sufficiently identified in 1903 (*supra*, Doc. No. 259, letter of Secretary of the Interior to the Speaker), and to have been recognized by Secretary Cortelyou as late as 1907. I refer for proof of this statement to House Document No. 54, Sixtieth Congress, first

session. These facts have been recognized to some extent at least by the Supreme Court in the case of *United States v. Texas*, One hundred and sixty-second United States Reports, page 1.

Mr. Speaker, I desire to submit that from all of these facts it appears—

First. That the boundary line between New Mexico and the Panhandle of Texas was fixed by law at 103 west longitude.

Second. That the meridian of 103 west longitude was established by the Clark survey by authority of law in 1859 under act of June 5, 1858.

Third. That the Clark survey was confirmed by act of Congress approved March 3, 1891.

Fourth. That the same was confirmed by law by the State of Texas soon after the confirmation of Congress.

Fifth. That both the United States and Texas have closed their public surveys on the Clark line, and that it has been recognized in some degree by the Supreme Court.

Sixth. That substantially all of the Clark monuments, or a sufficient number of them, have been identified and can now be identified to identify the Clark line accurately.

Seventh. That so far there is an hiatus in the Clark line it should be closed by drawing a straight line between the southern point ending his line drawn from the north and northern point of his line drawn from the south.

It is not likely that the boundary line as laid out by Clark would ever be drawn in question between the United States and Texas, or between their present respective grantees of land. Both would be estopped to do so.

Mr. Speaker, New Mexico has recently adopted a constitution, under the enabling act passed by the last session of this Congress, to go into effect if it shall be admitted as a State. In this constitution it defines its eastern boundary as the one hundred and third meridian west longitude, without any reference to the boundary established by act of Congress in 1891 and accepted by Texas by joint resolution about the same time.

Mr. Speaker, this boundary line, as laid out upon the ground by the Clark survey, seems to have been established in law as well as anything can be established, both by the action of the Federal Government and the action of the State of Texas. But claims are being made apparently that the adoption of the one hundred and third meridian, as set forth in the constitution of New Mexico, will carry some land over into what is to be the new State of New Mexico.

Mr. Speaker, this alarming condition of affairs on this boundary was called to the attention of the President of the United States, and when he found by inquiry that the bill I had been pressing for several years would finally and justly settle this whole question, and when he found that my bill had been recommended by a previous Secretary of the Treasury, by the Secretary of the Interior, and had been twice favorably reported from the Committee on Indian Affairs and twice from the Judiciary Committee of the House, and further, if something was not done at once in the matter that interminable litigation between the two States and its citizens would result; that the good faith of the United States was pledged to stand by the Clark line, run, established, and confirmed by Congress, he very promptly sent the following to Congress on the subject, viz:

[House Document No. 1076, Sixty-first Congress, third session.]

BOUNDARY LINE BETWEEN NEW MEXICO AND TEXAS.

Message from the President of the United States, transmitting a communication relating to the boundary line between New Mexico and Texas.

To the Senate and House of Representatives:

The constitutional convention recently held in the Territory of New Mexico has submitted for acceptance or rejection the draft of a constitution to be voted upon by the voters of the proposed new State, which contains a clause purporting to fix the boundary line between New Mexico and Texas which may reasonably be construed to be different from the boundary lines heretofore legally run, marked, established, and ratified by the United States and the State of Texas, and under which claims might be set up and litigation instigated of an unnecessary and improper character. A joint resolution has been introduced in the House of Representatives for the purpose of authorizing the President of the United States and the State of Texas to mark the boundary lines between the State of Texas and the Territory or proposed State of New Mexico, or to reestablish and re-mark the boundary line heretofore established and marked; and to enact that any provision of the proposed constitution of New Mexico that in any way tends to annul or change the boundary lines between Texas and New Mexico shall be of no force or effect. I recommend the adoption of such joint resolution.

The act of June 5, 1858 (vol. 11, U. S. Stats., 310), "authorizing the President of the United States in conjunction with the State of Texas, to run and mark the boundary lines between the Territories of the United States and the State of Texas," under which a survey was made in 1859-60 by one John H. Clark, and in the act of Congress approved March 3, 1891 (vol. 26, U. S. Stats., 971), "the boundary line between said public land strip and Texas, and between Texas and New Mexico," established under the act of June 5, 1858, is hereby con-

firmed," and a joint resolution was passed by the Legislature of Texas and became a law March 25, 1891, "confirming the location of the boundary line established by the United States commissioner between No Man's Land and Texas, and Texas and New Mexico under the act of Congress of June 5, 1858. (Laws of Texas, 1891, p. 193, Resolutions.)" The Committee on Indian Affairs, in its report of May 2, 1910 (No. 1250, 61st Cong., 2d sess.), recommended a joint resolution in the fourth section of which appears the following:

"Provided, That the part of a line run and marked by monument along the thirty-second parallel of north latitude, and that part of the line run and marked along the 103° of longitude west of Greenwich, the same being the east and west and north and south lines between Texas and New Mexico, and run by authority of act of Congress approved June 5, 1858, and known as the Clark lines, and that part of the line along the parallel of 36° 30' of north latitude, forming the north boundary line of the Panhandle of Texas, and which said parts of said lines have been confirmed by acts of Congress of March 3, 1891, shall remain the true boundary lines of Texas and Oklahoma and the Territory of New Mexico: *Provided further*, That it shall be the duty of the commissioners appointed under this act to re-mark said old Clark monuments and lines where they can be found and identified."

The lines referred to in the paragraph above are the same as contained in the proposed joint resolution above referred to.

Under the act of Congress approved June 20, 1910, "An act to enable the people of New Mexico to form a constitution and State government and be admitted into the Union," etc. (vol. 36, U. S. Stats., 557), section 4 provides that when a constitution has been duly ratified by the people of New Mexico, a certified copy of the same shall be submitted to the President of the United States, and in section 5 it provides that after certain elections shall have been held and the result certified to the President of the United States, the President shall immediately issue his proclamation, upon which the proposed State of New Mexico shall be deemed admitted by Congress into the Union, by virtue of said act of June 20, 1910. The required acts have not taken place, and therefore, to all intents and purposes, the proposed State of New Mexico is still a Territory and under the control of Congress.

As the boundary line between Texas and New Mexico is established under the act of June 5, 1858, and confirmed by Congress under the act of March 3, 1891, and ratified by the State of Texas March 25, 1891, and as the Territory of New Mexico has not up to the present time fulfilled all the requirements under the act of June 20, 1910, for admission to the Union, there is no reason why the joint resolution should not be adopted as above provided, and I recommend the adoption of such resolution for the purpose of conferring indisputable authority upon the President in conjunction with the State of Texas to reestablish and re-mark a boundary already established and confirmed by Congress and the State of Texas.

WM. H. TAFT.

THE WHITE HOUSE, December 21, 1910.

Mr. Speaker, resolution 1250, referred to by the President, was the resolution defeated at the last session of Congress by the gentleman from New York [Mr. PAYNE], as I have already explained. The objects of the Delegate from New Mexico [Mr. ANDREWS] and of the gentleman from Oklahoma [Mr. CARTER] also added many votes at that time against my motion to suspend the rules and pass the resolution. This motion required a two-thirds vote of the Members present, and, while I had a large majority, I did not get the necessary two-thirds. That resolution required the relocation of the lines between Texas and Oklahoma and New Mexico. This resolution is the same as that, except it eliminates Oklahoma and applies only to New Mexico. I was forced to make this concession, because of the opposition coming from Oklahoma.

Mr. Speaker, if this resolution becomes a law, the President and the governor of Texas at once can appoint each a commissioner to settle this whole matter, as the Texas Legislature has already passed a similar law.

Mr. Speaker, the resolution now under consideration and drawn by me, as stated in the editorial already quoted from the *Texico* paper, and recommended by the President in his message above quoted, is as follows:

Joint resolution reaffirming the boundary line between Texas and the Territory of New Mexico.

Whereas the constitutional convention recently held in the Territory of New Mexico submitted for acceptance or rejection the draft of a proposed constitution for the State of New Mexico, to be voted upon by the voters of said proposed new State on the 21st day of January, 1911, which proposed constitution contains a clause attempting to annul and set aside the boundary lines heretofore legally run, marked, established, and ratified by the United States and the State of Texas, said lines between the Territory of New Mexico and the State of Texas having been run by John H. Clark, the boundary commissioner acting for the United States, in 1859 and 1860, the said lines being now known and recognized as the Clark lines; and

Whereas the United States and the State of Texas have patented land based upon the Clark lines as the boundary between Texas and the Territory of New Mexico: Therefore be it

Resolved, etc., That any provision of said proposed constitution that in any way tends to annul or change the boundary lines between the State of Texas and the Territory or State of New Mexico shall be of no force or effect, but shall be construed so as not in any way to change, affect, or alter the said boundary lines known as the Clark lines and heretofore run and marked by him as a commissioner on the part of the United States and concurred in by the State of Texas, and the former ratification of said Clark lines by the United States by the act approved March 3, 1891, and the State of Texas by the joint resolution passed March 25, 1891, shall be held and deemed a conclusive location and settlement of said boundary lines.

SEC. 2. That the President of the United States is hereby authorized, in conjunction with the State of Texas, to reestablish and re-mark the boundary lines heretofore established and marked by John H. Clark between New Mexico and the State of Texas, and for such purpose he is hereby authorized and empowered to appoint a commissioner, who, in conjunction with such commissioner as may be appointed by and on

behalf of the State of Texas for the same purpose, shall re-mark the boundary between the Territory of New Mexico and the State of Texas as follows: Beginning at the point where the one hundred and third degree of longitude west from Greenwich intersects the parallel of 36° and 30' north latitude, as determined and fixed by John H. Clark, the commissioner on the part of the United States in the years 1859 and 1860; thence south with the line run by said Clark for the said one hundred and third degree of longitude to the thirty-second parallel of north latitude to the point marked by said Clark as the southeast corner of New Mexico; and thence west with the thirty-second degree of north latitude as determined by said Clark to the Rio Grande.

SEC. 3. That the part of the line run and marked by monuments along the thirty-second parallel of north latitude and that part of the line marked by monuments along the one hundred and third degree of longitude west from Greenwich, the same being the east and west and north and south lines between Texas and New Mexico, and run by authority of the act of Congress approved June 5, 1858, and known as the Clark lines, which said lines as run by said Clark have been confirmed, as aforesaid, by the act of Congress approved March 3, 1891, and the joint resolution of the Legislature of Texas passed March 25, 1891, shall remain the true boundary lines of Texas and New Mexico: *Provided*, That it shall be the duty of the commissioners appointed under this act to re-mark said old Clark monuments and line where they can be found and identified by the original monuments now on the ground, or where monuments are now missing or the lines can not be found, but their original position can be shown by competent parol evidence or by the topographic maps or field notes made by said Clark, the monuments so found or their position so identified shall determine the true position and course of the boundary lines as marked by said Clark to the full extent of the survey made by him, and where no survey was actually originally made on said lines it shall be the duty of the said commissioners to run a straight line between the nearest points determined by the Clark map, field notes, and survey, and when said straight lines have been so run, marked, and agreed upon by the commissioners they shall thereafter form the true boundary lines.

SEC. 4. That the sum of \$20,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to carry out the purposes of this act: *Provided*, That the person or persons appointed and employed on the part of the State of Texas shall be paid by the said State.

The joint resolution was ordered to a third reading, and was accordingly read the third time and passed.

RELIEF OF FAMINE SUFFERERS IN CHINA.

The SPEAKER laid before the House the bill (H. R. 32473) for the relief of the sufferers from the famine in China, with Senate amendments thereto.

The Senate amendments were read.

Mr. HUMPHREY of Washington. Mr. Speaker, I move that the House disagree to the Senate amendments and ask for a conference.

The motion was agreed to; and the Speaker appointed as conferees on the part of the House Mr. HULL of Iowa, Mr. STEVENS of Minnesota, and Mr. HAY.

PANAMA CANAL—ADDRESS BY COL. GOETHALS.

Mr. WANGER. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution.

The SPEAKER. The gentleman from Pennsylvania [Mr. WANGER] asks unanimous consent for the present consideration of the following resolution (H. Res. 964), which the Clerk will report.

The Clerk read as follows:

Resolved, That the House of Representatives will assemble in the Hall of the House on Monday evening, February 13, 1911, at 8 o'clock, and that in the presence of the House an address upon the construction of the Panama Canal be pronounced by Col. Geo. W. Goethals, United States Army, chairman of the Isthmian Canal Commission and chief engineer of the canal.

Resolved, That the Superintendent of the Capitol and the Doorkeeper of the House be charged with the execution of the proper arrangements for the occasion.

The SPEAKER. Is there objection?

There was no objection.

Mr. MANN. Will the gentleman yield for a question?

Mr. WANGER. Certainly.

Mr. MANN. The form of the resolution is that the House of Representatives shall meet.

Mr. WANGER. "Will assemble." It follows the language of the resolution adopted by the House upon the occasion of the memorial exercises for President McKinley.

Mr. MANN. That was a joint meeting of the House and Senate. The question I had in mind was whether it was desirable to provide that the House on Monday at a certain time should take a recess until evening for that purpose. I suppose it is not necessary. Other people will want to come on the floor at that time.

Mr. HUMPHREY of Washington. How will that be arranged?

Mr. MANN. I suppose Members will bring their families and friends. It is understood, of course, that this lecture is to be an illustrated stereopticon lecture in reference to the construction of the canal.

Mr. WANGER. Col. Goethals delivered the lecture referred to in the resolution in this city before a scientific body, the National Geographic Society, last evening. This morning he

appeared before the Committee on Interstate and Foreign Commerce and gave a very interesting talk, and stated that he would be entirely willing to repeat the address for the accommodation of the Members of the Senate and House, if they so desired.

The committee appointed a subcommittee to make arrangements, and the idea was to have the address delivered in the Office Building of the House, but upon conference with the Superintendent of the Capitol he thought it would be somewhat difficult to arrange the conference room or any large committee room properly for the purpose; and that this Hall was the ideal place for the address to be made and stereopticon views exhibited; and considering that this is the greatest national engineering undertaking by the Government of our country, and that Col. Goethals is the great engineer in charge of the enterprise, it seemed proper to provide as the resolution specifies.

Another word: Next Monday evening was fixed upon because it seemed to be the only time when it was practicable to have the address.

Mr. SHEPPARD. Is the lecture to be for the Members of the House only?

Mr. WANGER. No; for Senators and for Members and their invited guests. The arrangements are under the direction of the Superintendent of the Capitol and Doorkeeper. The idea we had in mind was to have Members of the Senate and the House and their wives or families occupy the floor and other guests in the gallery.

Mr. SHEPPARD. That fact ought to be given publicity.

Mr. WANGER. There will be cards printed for admission to the gallery and distributed to Members. Senators and Members and members of their families will be admitted to the floor without tickets upon identification.

Mr. ADAMSON. Will there be cards printed for the private gallery?

Mr. WANGER. The idea is that the tickets will apply to the galleries, but that has not been finally determined.

Mr. ADAMSON. If cards are printed, I suppose they will be furnished to Members.

Mr. WANGER. The committee and Doorkeeper and Superintendent of the Capitol will confer, and the tickets will be furnished.

Mr. MANN. Mr. Speaker, may I ask the gentleman from Pennsylvania whether it is expected that at this meeting Members may bring their wives or other members of their family, and possibly other guests?

Mr. WANGER. It is.

Mr. MANN. Of course, under the rules of the House that would be impossible when the House itself is in session. Might it not be arranged so that the resolution would read:

Resolved, That the Members of the House of Representatives and their invited guests may assemble in the Hall of the House.

Mr. WANGER. I have no objection to that, and I ask that that modification be made.

The SPEAKER. The Clerk will report the resolution as modified.

The Clerk read as follows:

Resolved, That the Members of the House of Representatives and their invited guests may assemble in the Hall of the House, etc.

Mr. MANN. Mr. Speaker, would it not be proper for us informally to ask the Senate to attend this meeting?

Mr. HAY. I would like to ask the gentleman from Illinois if the Hall of the House has heretofore been used for any such purpose.

Mr. MANN. The Hall of the House was used when Mr. Parnell was here for the purpose of delivering an address. That was a good many years ago.

Mr. HAY. I would like to ask the gentleman from Illinois what he thinks about the policy or the setting of a precedent of this sort.

Mr. MANN. We considered that very carefully. I felt very much indisposed at first blush to permit the Hall of the House to be used for any purpose of this sort. But here is the Panama Canal being constructed by us; Col. Goethals is in charge of the construction; he is in this country from abroad by direction of the Government for the purpose of giving information to Members of Congress, and it hardly seems to the committee that it is setting any precedent which would be injurious to direct him, practically, to give the information directly to Members of the House in the Hall of the House instead of to the committee.

Mr. HAY. May not a man who is serving as ambassador to France, or some other country, at some future time think it is a precedent—

Mr. MANN. Oh, there might be an occasion where Congress would want to do it, but gentlemen understand that this came

up by unanimous consent, and anyone could object to it, and the committee does not think there is any danger of creating a precedent that would embarrass us in the future.

Mr. TAWNEY. Would it not be well to restrict the use of the floor of the House to Members and Senators and open the gallery to the public?

Mr. MANN. I think that the danger is that we would not have enough people here to fill the place.

Mr. HAY. Oh, there is no danger of that.

Mr. TAWNEY. I remember in the Fifty-third Congress, when the Wilson bill was under discussion in the House, the public was admitted to the floor of the House in that Congress to listen to the speech of William Jennings Bryan on the Wilson tariff law.

Mr. MANN. And it was worth it.

Mr. TAWNEY. And I know that Members were crowded out of their seats, and I think it would be better if the floor of the House were reserved for Members and Senators.

Mr. MANN. I suggest to the gentleman that this is to be a stereopticon lecture, where the seats in the gallery on the south side are utterly unavailable, the seats in the gallery on the east and west sides are not very available, and that it is very easy to take these chairs out of the House if necessary and put other chairs in here, as we do when the Senate comes to the Hall of the House, and that would provide seating capacity for a large number of people in the Hall of the House.

Mr. HAYES. I suggest to the gentleman that the resolution be modified so as to save the Hall of the House to Members and Senators and the immediate members of their families.

Mr. WANGER. I think I can assure the gentleman from California that that will be done.

Mr. MANN. There ought to be added there the words "Senators."

The SPEAKER. Without objection, the word "Senators" will be added.

There was no objection.

The SPEAKER. Then the Chair understands what the gentleman offers would involve the striking out of the invited guests and inserting the words to indicate their immediate families?

Mr. ADAMSON. Mr. Speaker, it seems to me that the Members of the House could be trusted to bring proper persons here.

Mr. SIMS. Mr. Speaker, a parliamentary inquiry. Is there not a rule that makes it out of order for the Speaker to entertain a motion or proposition to have this Hall used for any other purpose—

The SPEAKER. The probability is that the Speaker would not have entertained this resolution, but unanimous consent was given to consider a resolution for a session of the House. Then it has gone beyond the Speaker and the majority of the House can do anything they wish with it. The Clerk will report the resolution (H. Res. 964) as amended:

The Clerk read as follows:

Resolved, That Members of the House of Representatives and their invited guests, and Senators, may assemble in the Hall of the House on Monday evening, February 13, 1911, at 8 o'clock, and that in said Hall of the House an address upon the construction of the Panama Canal be pronounced by Col. George W. Goethals, United States Army, chairman of the Isthmian Canal Commission and chief engineer of the commission.

Resolved, That the Superintendent of the Capitol and the Doorkeeper of the House be charged with the execution of the proper arrangements for the occasion.

Mr. BENNET of New York. Mr. Speaker, I move to amend by striking out the word "pronounced" and inserting the word "delivered."

Mr. HAYES. Mr. Speaker, I would like to have the gentleman from Illinois agree to the suggestion that the Hall of the House be reserved for Members and Senators and the members of their immediate families.

Mr. MANN. I think that would not look very well in print, I would say to the gentleman. As far as I am concerned, I think Members of the House can be trusted not to bring a horde of invited guests.

Mr. BENNET of New York. Mr. Speaker, the gentleman from Pennsylvania [Mr. WANGER] consents to the modification that I suggest, striking out the word "pronounced" and inserting the word "delivered."

The SPEAKER. The gentleman asks unanimous consent to strike out the word "pronounced" and insert the word "delivered" in the resolution as read. Is there objection?

There was no objection.

The SPEAKER. The question is now on agreeing to the resolution.

The resolution was agreed to.

CHANGE OF REFERENCE.

By unanimous consent, reference of House Document No. 1370, being a letter from the Secretary of War, transmitting estimates for pay of Military Academy, was transferred from the Committee on Appropriations to the Committee on Military Affairs.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. HAMILTON, indefinitely, on account of sickness.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. RUCKER of Missouri to withdraw from the files of the House, without leaving copies, the papers in the case of Louis Jenkins, Fifty-seventh Congress, no adverse report having been made thereon.

HOOR OF MEETING.

Mr. MANN. Mr. Speaker, I ask unanimous consent that after Monday next the hour of meeting of the House during the remainder of the session be at 11 o'clock a. m., instead of 12 o'clock noon.

The SPEAKER. The gentleman from Illinois asks unanimous consent that after Monday next the hour of meeting of the House during the remainder of the session shall be at 11 o'clock a. m., instead of 12 o'clock meridian. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, reserving the right to object, I would like to ask the gentleman to explain the necessity for his proposition.

Mr. MANN. Well, Mr. Speaker, we have 16 days more of this session. One of those days is calendar Wednesday. That leaves 15 days. Six of those days are suspension days, during which there is little possibility of passing many appropriation bills. That leaves, I believe, nine days. We have the naval appropriation bill, the diplomatic appropriation bill, the fortifications appropriation bill, the Military Academy appropriation bill, the sundry civil bill—

Mr. TAWNEY. And the general deficiency bill.

Mr. MANN (continuing). And the general deficiency bill at this session is likely to pass under suspension during the last six days. We have the Canadian reciprocity agreement proposition. I see no possible way of getting through the rest of the session without now commencing an hour earlier in the morning, unless we propose to pass appropriation bills under suspension of the rules during the last six days of the session, which I think nobody desires to be done.

Mr. UNDERWOOD. I will ask the gentleman from Illinois if he does not think that we would be more likely to have a quorum to do business by running into night sessions than to start an hour earlier now.

Mr. MANN. Well, I think after a few days we will have to do both.

Mr. UNDERWOOD. If the gentleman thinks the contingency is as great as that, I withdraw my objection.

Mr. OLCOTT. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Illinois whether he would not make that request to begin on Monday.

Mr. MANN. Members of the House would not be informed about the matter, and it would not accomplish any purpose to meet at an earlier hour on Monday. That is the only reason for it.

Mr. OLCOTT. I think it would be in the newspapers tomorrow morning, and I think most Members would be informed. They read the papers more on Sunday than any other days.

Mr. MANN. I do not; other Representatives may.

Mr. KENDALL. Let us try it.

Mr. OLCOTT. I shall not object—

The SPEAKER. Is there objection?

Mr. SIMS. Mr. Speaker, reserving the right to object, is this for the whole entire session?

Mr. MANN. For the balance of the session; there are only 16 days more of the session.

Mr. SIMS. Is what the gentleman would like to accomplish in order to make room for certain other things?

Mr. MANN. The gentleman need not be alarmed about certain other matters. If there is anything done, I think it will only be done during the last six days.

Mr. OLCOTT. Mr. Speaker, one more suggestion. I presume that there is some way for the Members to be notified, as they are by the whips on both sides of the House.

Mr. MANN. I will say to the gentleman I consulted with some Members before doing this, because there are a great many Members who have already left town, who go out of town over Sunday, not expecting to be back except in time to come to the

House at noon on Monday, possibly not then; but they could not be reached, and we thought on that account it would not be fair to begin on Monday.

Mr. TAWNEY. Mr. Speaker, I will say, further, the gentleman from Massachusetts [Mr. McCall] this afternoon gave notice he would take up for consideration the report of the Committee on Ways and Means on the reciprocity agreement. The contest, of course, will be between the Committee on Ways and Means and the Committee on the District of Columbia, and it may be that the result would be more favorable to the gentleman from New York and his committee if he waited until 12 o'clock than if we meet at 11 o'clock.

Mr. OLCOTT. I thank the gentleman for his suggestion, but in view of the way the Committee on the District of Columbia has been treated heretofore, I think I should not hesitate to take advantage of anybody who undertook to supersede the rights of that committee. However, Mr. Speaker, I make no objection.

The SPEAKER. The Chair hears no objection.

EXTENSION OF REMARKS.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent that all Members be granted leave to extend remarks in the RECORD for five legislative days upon the agricultural appropriation bill.

The SPEAKER. The gentleman from Kansas asks unanimous consent that all Members be permitted to print remarks on the agricultural appropriation bill for the next five legislative days. Is there objection? [After a pause.] The Chair hears none.

SPEAKER PRO TEMPORE, SUNDAY SESSION.

The SPEAKER. The Chair designates Hon. WILLIAM S. GREENE, of Massachusetts, for Speaker pro tempore for Sunday, February 12.

ADJOURNMENT.

Mr. SCOTT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes) the House adjourned until to-morrow, Sunday, February 12, 1911, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the president of the Board of Commissioners of the District of Columbia, transmitting the report of the Baltimore & Washington Transit Co. of Maryland for the year ended December 31, 1910 (S. Doc. No. 812); to the Committee on the District of Columbia and ordered to be printed.

2. A letter from the Secretary of the Treasury, transmitting estimates of appropriations for collecting the revenue from customs for the year ending June 30, 1912 (H. Doc. No. 1377); to the Committee on Appropriations and ordered to be printed.

3. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the president of the Commissioners of the District of Columbia, submitting an estimate of appropriation for service of the District of Columbia (H. Doc. No. 1378); to the Committee on Appropriations and ordered to be printed.

4. A letter from the Secretary of the Treasury, transmitting a copy of a letter from the Attorney General submitting an estimate of appropriation for expenses of the United States courts (H. Doc. No. 1379); to the Committee on Appropriations and ordered to be printed.

5. A letter from the Superintendent of the Capitol and Grounds, transmitting a report on cost of refrigerating plant, including an ice-making machine (H. Doc. No. 1380); to the Committee on Appropriations and ordered to be printed.

6. A letter from the Secretary of the Smithsonian Institution, informing the House of the resignation of Hon. John B. Henderson, a regent (H. Doc. No. 1381); to the Committee on the Library and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. FOSTER of Vermont, from the Committee on Foreign Affairs, to which was referred the bill of the House (H. R. 32217) to amend section 2 of an act entitled "An act to provide for the reorganization of the Consular Service of the United States," approved April 5, 1906, reported the same without amendment, accompanied by a report (No. 2144), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. FERRIS, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 32571) to consolidate certain forest lands in the Kansas National Forest, reported the same with amendment, accompanied by a report (No. 2145), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HINSHAW, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 9426) authorizing the Secretary of the Interior to examine and adjust the accounts of William R. Little, or his heirs, with the Sac and Fox Indians, reported the same, together with the views of the minority, with amendment, accompanied by a report (No. 2146), which said bill and report were referred to the Private Calendar.

Mr. PRINCE, from the Committee on Claims, to which was referred the bill of the Senate (S. 7971) for the allowance of certain claims reported by the Court of Claims, and for other purposes, reported the same with amendment, accompanied by a report (No. 2148), which said bill and report were referred to the Private Calendar.

Mr. MORGAN of Oklahoma, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 23806) authorizing the Secretary of the Interior to convey a certain tract of land to the city of Alva, Okla., reported the same with amendment, accompanied by a report (No. 2151), which said bill and report were referred to the Private Calendar.

Mr. BENNET of New York, from the Committee on Immigration and Naturalization, to which was referred the bill of the Senate (S. 9443) providing for the naturalization of the wife and minor children of insane aliens making homestead entries under the land laws of the United States, reported the same with amendment, accompanied by a report (No. 2149), which said bill and report were referred to the House Calendar.

Mr. BURKE of South Dakota, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 5269) to provide for allotments to certain members of the Hoh, Quileute, and Ozette Tribes of Indians in the State of Washington, reported the same without amendment, accompanied by a report (No. 2152), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 29314) granting an increase of pension to John D. Harrell, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. LINDBERGH: A bill (H. R. 32721) to amend an act entitled "An act permitting the building of a dam across the Mississippi River in the county of Morrison, State of Minnesota," approved June 4, 1906; to the Committee on Interstate and Foreign Commerce.

By Mr. WICKERSHAM: A bill (H. R. 32722) to provide for the care of insane, indigent, and dependent persons in the Territory of Alaska, and for other purposes; to the Committee on the Territories.

By Mr. CREAGER: A bill (H. R. 32723) making appropriation to pay certain Indian claims investigated, found due, and reported to the Department of the Interior; to the Committee on Indian Affairs.

By Mr. HUGHES of West Virginia: A bill (H. R. 32724) to amend the charter of the Firemen's Insurance Co. of Washington and Georgetown, in the District of Columbia; to the Committee on the District of Columbia.

By Mr. FOCHT: A bill (H. R. 32725) to provide for the removal of the body of the late Maj. Gen. Winfield Scott Hancock from Norristown, Pa., to the national cemetery, Arlington, Va., and for other purposes; to the Committee on Appropriations.

By Mr. PARKER: A bill (H. R. 32726) to provide for the administering of certain oaths by public officers; to the Committee on the Judiciary.

By Mr. SULLOWAY: Resolution (H. Res. 961) authorizing payment of \$1,000 to Herman Gauss for services as assistant

clerk to Committee on Invalid Pensions; to the Committee on Accounts.

By Mr. ROBINSON: Resolution (H. Res. 962) calling on the Secretary of Commerce and Labor for a copy of contract between the British Government and American Express Co.; to the Committee on Interstate and Foreign Commerce.

By Mr. HAYES: Resolution (H. Res. 963) authorizing the investigation of the application of pure-food decisions Nos. 110 and 121; to the Committee on Rules.

By Mr. HAMER: Memorial of the Legislature of Idaho, in relation to sections 16 and 36 situated in national forest reserves; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 32727) granting an increase of pension to Markus Wolf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 32728) granting an increase of pension to Charles F. Collins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 32729) granting an increase of pension to Samuel Dale; to the Committee on Invalid Pensions.

Also, a bill (H. R. 32730) granting an increase of pension to Mary Hurst; to the Committee on Invalid Pensions.

Mr. BARNARD: A bill (H. R. 32731) for the relief of Washington George; to the Committee on Military Affairs.

By Mr. BRADLEY: A bill (H. R. 32732) granting a pension to Katherine Wise; to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 32733) granting an increase of pension to Preston M. Emery; to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: A bill (H. R. 32734) granting an increase of pension to Milo A. Tucker; to the Committee on Invalid Pensions.

By Mr. CARLIN: A bill (H. R. 32735) granting an increase of pension to Bertha A. Mulhall; to the Committee on Pensions.

By Mr. FERRIS: A bill (H. R. 32736) for the relief of the estate of Johnson Miller, deceased; to the Committee on War Claims.

By Mr. FINLEY: A bill (H. R. 32737) granting a pension to William L. Hicklin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 32738) granting a pension to Edward W. Hanahan; to the Committee on Pensions.

By Mr. FLOYD of Arkansas: A bill (H. R. 32739) granting an increase of pension to Frederick R. Dearborn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 32740) granting an increase of pension to John F. Dalley; to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: A bill (H. R. 32741) granting a pension to Margaretta B. Hodson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 32742) granting a pension to Rebecca Pedrick; to the Committee on Invalid Pensions.

By Mr. GORDON: A bill (H. R. 32743) granting an increase of pension to Ollie M. Croghan; to the Committee on Pensions.

By Mr. GRANT: A bill (H. R. 32744) granting a pension to A. J. Morrow; to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 32745) granting a pension to Sarah M. Scott; to the Committee on Invalid Pensions.

By Mr. HELM: A bill (H. R. 32746) granting an increase of pension to Samuel Rothwell; to the Committee on Invalid Pensions.

By Mr. HENRY of Texas: A bill (H. R. 32747) granting an increase of pension to William E. Peters; to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 32748) granting a pension to Jenkins Morgan; to the Committee on Invalid Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 32749) granting an increase of pension to Marcus De Lafayette Feuer; to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 32750) for the relief of the estate of J. L. Doss, deceased; to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Communication in the nature of a memorial from Thomas Aurand, of Watseka, Ill., praying for the enactment of legislation to credit homestead entrymen with the periods of residence on former homestead locations which have

been canceled on account of illness or injury and the consequent inability of the entrymen to conform to the provisions of the homestead law and acquire patent; to the Committee on the Public Lands.

By Mr. AIKEN: Petition of Saluda Council, Junior Order United American Mechanics, of Pelzer, S. C., for H. R. 15413; to the Committee on Immigration and Naturalization.

By Mr. ANDERSON: Memorial of General Assembly of Ohio, for resolution relative to election of United States Senator by popular vote; to the Committee on the Judiciary.

Also, petition of the American Embassy Association, for H. R. 30888, for embassy buildings abroad; to the Committee on Foreign Affairs.

By Mr. ASHBROOK: Petition of Carpenters' Union No. 525, of Coshocton, Ohio, in favor of construction of the battleship *New York* in the New York Navy Yard; to the Committee on Naval Affairs.

Also, petition of Branch No. 101, of Newark, and Branch No. 24, of Coshocton, both in the State of Ohio, of the Glass Bottle Blowers' Association, favoring H. R. 29866 and opposing H. R. 27275; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Franklin County Bar Association, against pending bill for holding the circuit and district courts of the southern district of Ohio at Portsmouth; to the Committee on the Judiciary.

By Mr. BARTLETT of Georgia: Petition of United American Mechanics, of Barnesville, Ga., for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. BURKE of South Dakota: Petition of citizens of Plankinton, Aurora County, S. Dak., for a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. CALDER: Petition of the Metal Industry, of New York, for Canadian reciprocity; to the Committee on Ways and Means.

By Mr. CARY: Resolution adopted by the Wisconsin Commandery of the Military Order of the Loyal Legion of the United States, protesting against the proposed abolition of pension agencies; to the Committee on Invalid Pensions.

Also, resolutions adopted by Local No. 35, Coopers' International Union, Milwaukee, Wis., protesting against the construction of the battleship *New York* by private contractors; to the Committee on Naval Affairs.

Also, letter from the International Association of Machinists, protesting against the construction of the battleship *New York* by private contractors; to the Committee on Naval Affairs.

By Mr. CASSIDY: Memorial of the House of Representatives of Ohio, for passage of joint resolution relating to election of Senators by popular vote; to the Committee on the Judiciary.

By Mr. CLARK of Florida: Paper to accompany bill for relief of Frederick A. Brown; to the Committee on Invalid Pensions.

By Mr. COCKS of New York: Petition of citizens of New York State, favoring Senate bill 5677, to promote efficiency of the Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. COX of Ohio: Petition of Local No. 104, of Dayton, Ohio, for House bill 15413; to the Committee on Immigration and Naturalization.

Also, petition of the Middletown (Ohio) Trades and Labor Council, favoring construction of battleship *New York* at Government navy yard; to the Committee on Naval Affairs.

By Mr. DALZELL: Petition of Waynesboro Council; Pride of the Valley Council; Annette Council; Rock Council, of Glen Rock; Crystal Council; Penn Council; Painterville Council, of New Stanton; Newton Council; Spring City Council; Mountain Rose Council; Yohoghany Council, No. 255, all of Junior Order United American Mechanics; Brotherhood of Carpenters, of Harrisburg; Hair Spinners' Union, of Philadelphia; United Brotherhood of Carpenters, of Forest City; and Brotherhood of Painters, of Sharon, all in the State of Pennsylvania, for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. DAWSON: Paper to accompany bill for relief of Peter Golden; to the Committee on Invalid Pensions.

Also, petition of Frank Unrath and other citizens of Iowa, favoring the building of a battleship in a Government navy yard; to the Committee on Naval Affairs.

By Mr. DENBY: Petition of O. H. Mullen and others, requesting the construction of the battleship *New York* in a Government yard; to the Committee on Naval Affairs.

Also, petition of P. H. McMillan and Truman H. Newberry for Senate bill 5677, efficiency of Life-Saving Service; to the Committee on Interstate and Foreign Commerce.

By Mr. DODDS: Petition of citizens of Montcalm County, Mich., favoring the Miller-Curtis bill; to the Committee on the Judiciary.

Also, petition of Sumner Grange, and Rollin A. Wood and nine others, of Gratiot County, Mich., favoring extension of parcels post; to the Committee on the Post Office and Post Roads.

By Mr. DRAPER: Memorial of the Assembly of the State of New York, demanding the continued construction of the battleship *New York* in the Brooklyn Navy Yard, as per the law of 1910; to the Committee on Naval Affairs.

By Mr. MICHAEL E. DRISCOLL: Petition of Onondaga Council, No. 10, Junior Order United American Mechanics, of Syracuse, N. Y., for the illiteracy clause in bill to restrict immigration; to the Committee on Immigration and Naturalization.

Also, petition of citizens of Hamilton, Madison County, N. Y., against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. DUREY: Petition of Merchants' Association of New York; Chamber of Commerce and Manufacturers' Club, of Buffalo; Board of Managers of the New York Produce Exchange, all in the State of New York, for Canadian reciprocity; to the Committee on Ways and Means.

Also, memorial of the Legislature of New York and Board of Aldermen of New York City, against building of battleships in private yards; to the Committee on Naval Affairs.

By Mr. ESCH: Petition of citizens of Wisconsin, for extension of the parcels-post system and for choice of Senators by the people, and other legislation; to the Committee on the Post Office and Post Roads.

By Mr. FLOYD of Arkansas: Petition of W. T. Gann, against extension of parcels-post service; to the Committee on the Post Office and Post Roads.

By Mr. FOCHT: Petition of Washington Camp No. 415, Patriotic Order Sons of America, of Mount Pleasant Mills, Pa., for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. FULLER: Petition of citizens of Coal City, Ill., against a parcels-post system; to the Committee on the Post Office and Post Roads.

Also, petition of American Protective Tariff League, against revision of the tariff schedule by schedule and a tariff commission; to the Committee on Ways and Means.

By Mr. GOULDEN: Petition of Frederick J. Willack and other citizens, against advance in postal rates on magazines; to the Committee on the Post Office and Post Roads.

By Mr. HAMILTON: Petition of Ministerial Association of Dowagiac, Mich., for House bill 23641, the Miller-Curtis bill; to the Committee on the Judiciary.

By Mr. HAYES: Petition of Elevator Constructors' Local No. 8, of San Francisco, Cal., urging that the battleship *New York* be built in a Government navy yard; to the Committee on Naval Affairs.

By Mr. HIGGINS: Petition of Edward S. Swift, of New Haven, Conn., against an investigation by Congress of the wireless telegraph business; to the Committee on Interstate and Foreign Commerce.

Also, petition of Stonington (Conn.) Grange, against Canadian reciprocity; to the Committee on Ways and Means.

By Mr. HILL of Connecticut: Petition of Cannon Grange, No. 152, of Cannon; Fairfield County Grange, of Westport; and Watertown Grange, all in the State of Connecticut, against the Senate plan for parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of Irish-American citizens of Bridgeport, Conn., against the Anglo-American agreement; to the Committee on Foreign Affairs.

Also, petition of Frank Griffen and others, of Bridgeport, Conn., for building battleship *New York* in a Government navy yard; to the Committee on Naval Affairs.

By Mr. HOLLINGSWORTH: Petition of Hartze Paper Manufacturing Co., against Canadian reciprocity; to the Committee on Ways and Means.

By Mr. HOUSTON: Paper to accompany bill for relief of Albert G. Jenkins; to the Committee on Pensions.

Also, paper to accompany bill for relief of John T. Waters; to the Committee on War Claims.

By Mr. HOWELL of Utah: Petition of B. Y. Benson and others, of Trenton, Utah, against a rural parcels post; to the Committee on the Post Office and Post Roads.

By Mr. HUMPHREY of Washington: House joint memorial No. 4, of Idaho, for liberal appropriation to advance knowledge in irrigation; to the Committee on Appropriations.

Also, House joint memorial No. 10, of the State of Washington, favoring Senate bill 9476, relative to pensions; to the Committee on Invalid Pensions.

Also, petition of citizens of Washington, for construction of battleship *New York* in the Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, petition of residents of Ferndale, State of Washington, against Senate bill 404, Sabbath observance in the District of Columbia; to the Committee on the District of Columbia.

Also, House joint resolution No. 2, Against United States control of fisheries within jurisdiction of the State of Washington; to the Committee on the Merchant Marine and Fisheries.

By Mr. LAFEAN: Petition of Washington Camp No. 315, Patriotic Order Sons of America, of Saginaw, Pa., for House bill 15413; to the Committee on Immigration and Naturalization.

Also, petition of Adams County Agricultural Association, for a parcels-post system; to the Committee on the Post Office and Post Roads.

By Mr. McHENRY: Petition of Washington Camp No. 201, Patriotic Order Sons of America, of Shamokin (Pa.) R. D. No. 1, urging upon Congress the immediate enactment of House bill 15413; to the Committee on Immigration and Naturalization.

Also, petition of Washington Camp No. 38, Patriotic Order Sons of America, of Aristes, Pa., for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. McMORRAN: Petition of 51 residents of Bridgehampton and Custer Townships, Sanilac County, Mich., against the Canadian reciprocity treaty; to the Committee on Ways and Means.

By Mr. MAGUIRE of Nebraska: Petition of business men of Weeping Water, Elmwood, Louisville, Unadilla, Syracuse, Palmyra, and Bennet, Nebr., against parcels-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of citizens of Nebraska, for the Cummins bill S. 3776; to the Committee on Interstate Commerce.

Also, petition of citizens of Nebraska, for the eight-hour law and construction of battleships in Government navy yards; to the Committee on Naval Affairs.

By Mr. MILLINGTON: Protests of delegates to the New York State Grange from Herkimer County, N. Y., against ratification of the proposed reciprocity treaty with Canada; to the Committee on Ways and Means.

By Mr. NICHOLLS: Petition of Washington Camp No. 430, Patriotic Order Sons of America, of Scranton, Pa., for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. O'CONNELL: Petition of Business Men's Association of Boston, Charlestown Improvement Association, and International Association of Machinists, for construction of revenue cutters in the Charlestown Navy Yard; to the Committee on Naval Affairs.

Also, petition of several wholesale merchants of Boston, against a parcels-post system; to the Committee on the Post Office and Post Roads.

Also, petition of Boston Fruit Produce Exchange, for Canadian reciprocity; to the Committee on Ways and Means.

By Mr. A. MITCHELL PALMER: Petition of citizens of Pottsville, Pa., for battleship construction in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of Lodge 119, Pittsburgh; Local Councils Nos. 100, 700, 514, and 558, Junior Order United American Mechanics; and Washington Camp No. 473, Patriotic Order Sons of America, for House bill 15413; to the Committee on Immigration and Naturalization.

Also, petition of Bangor Local Center, Luther Leagues of the United States, for protection of life at sea; to the Committee on the Merchant Marine and Fisheries.

By Mr. PEARRE: Petition of Francis S. Key Council, Govans, Md., Riverside (Md.) Council, and Arundel Council, Odenton, Md., Junior Order United American Mechanics; Riverside Council, Daughters of America, Baltimore, Md.; and Washington Camp No. 17, Patriotic Order Sons of America, Frederick, Md., for House bill 15413; to the Committee on Immigration and Naturalization.

By Mr. ROBINSON: Petition of Mrs. J. N. Hudgins, for granting of certain property to city of Hot Springs for a public park; to the Committee on the Public Lands.

By Mr. SMITH of Iowa: Petition of citizens of Adair, Cass, Guthrie, Harrison, Audubon, Montgomery, Mills, Pottawattamie, and Shelby Counties, in Iowa, against a parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. SPERRY: Resolutions of the Butterworth Progressive Republican Club, of New Haven, Conn., favoring the reciprocity treaty with Canada; to the Committee on Ways and Means.

By Mr. TAYLOR of Colorado: Petition of citizens of Paonia, against House joint resolution 17, Sunday rest bill; to the Committee on the District of Columbia.

Also, joint resolution of Legislature of the State of Colorado, favoring the passage of resolution proposing amendment to the Constitution of the United States for the election of United States Senators by direct vote of the people; to the Committee on the Judiciary.

By Mr. TILSON: Petition of Connecticut State Grange, Cannon, Fairfield County, Pomona, and Watertown Granges, for a satisfactory parcels-post bill; to the Committee on the Post Office and Post Roads.

By Mr. WOOD of New Jersey: Petition of Washington Camps Nos. 61, 2, and 141, Patriotic Order Sons of America, of Flemington, N. J., Washington, D. C., and Hopewell, N. J., for House bill 15413; to the Committee on Immigration and Naturalization.

Also, petition of Hamilton Grange, No. 79, of Hamilton Square, N. J., against Canadian reciprocity; to the Committee on Ways and Means.

By Mr. YOUNG of New York: Petition of F. C. Figer and other citizens of Brooklyn, N. Y., against withdrawal of construction of the battleship *New York* at the Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, concurrent resolution of New York State senate and assembly, for construction of battleships in Government navy yards; to the Committee on Naval Affairs.

HOUSE OF REPRESENTATIVES.

SUNDAY, February 12, 1911.

The House met at 12 o'clock noon and was called to order by Mr. GREENE, Speaker pro tempore.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Our Father in heaven, we bless Thee for all the disclosures Thou hast made of Thyself, especially for the Gospel, the glad tidings of great joy, which fell from the lips of the Master, inspiring the hearts of men with faith in the eternal goodness of God and the unbroken continuity of life. "*Let not your heart be troubled; ye believe in God, believe also in me. In my Father's house are many mansions; if it were not so, I would have told you. I go to prepare a place for you.*" Blessed words, which lifts the veil, points the way, removes the sting of death, comforts the sad and bereaved heart.

We are here to-day in memory of two distinguished men, strong in mentality, lofty of purpose, clean in character, called by their fellow citizens to service in their respective States and in the National Congress, who in every station of life acquitted themselves with credit and honor. They have passed on into one of the Father's many mansions. May the record of their lives be an inspiration to us and to those who come after us, and grant that their loved ones may go forward with perfect faith in—

That God, which ever lives and loves,
One God, one law, one element,
And one far-off, divine event,
To which the whole creation moves.

Amen.

The Journal of the proceedings of yesterday was read and approved.

SPECIAL ORDER.

The SPEAKER pro tempore. The Clerk will read the special order.

The Clerk read as follows:

On motion of Mr. MITCHELL, by unanimous consent,
Ordered, That Sunday, the 12th of February, at 12 o'clock, be set apart for addresses on the life, character, and public services of the Hon. CHARLES QUINCY TIRRELL, late a Representative from the State of Massachusetts.

On motion of Mr. TAYLOR of Colorado, by unanimous consent,
Ordered, That on Sunday, February 12, 1911, the delivery of eulogies on the life, character, and public services of the Hon. CHARLES JAMES HUGHES, Jr., late a Senator of the United States from Colorado, shall be in order.

EULOGIES ON THE LATE REPRESENTATIVE CHARLES QUINCY TIRRELL.

Mr. MITCHELL. Mr. Speaker, I offer the following resolutions (H. Res. 966), which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. CHARLES QUINCY TIRRELL, late a Member of this House from the State of Massachusetts.

Resolved, That as a particular mark of respect to the memory of the deceased and in recognition of his distinguished public career, the House, at the conclusion of the exercises of this day, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.
Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

Mr. MITCHELL. Mr. Speaker, it is my melancholy privilege to supplement the resolutions just offered with a brief summary of the life, the character, and the public services of my predecessor.

CHARLES QUINCY TIRRELL was born in Sharon, Mass., December 10, 1844, of a distinguished family of New England, so rich in names that illumine the pages of the Nation's history. While a mere lad, with his parents, he moved from his natal town to Westfield. In 1862 he entered Dartmouth College, and graduated from that institution in 1866. He started his career in the world's activities, as did many of our American statesmen, by teaching school. He was principal of Peacham Academy, at Peacham, Vt., for one year, and the following two years the principal of the high school at St. Johnsbury, Vt. But his ambition ran in a different line and he began the study of law, which was to be his life work, in the office of Richard H. Dana, Jr., and in August, 1870, he was admitted to the Suffolk bar in Boston. He opened an office in that city at once, and here successfully followed his profession to the time of his death. At the bar he won a place and a name for himself as an active, an upright, and a high-minded practitioner. He tried many important cases, and he acted as trustee of a large number of estates, including some of considerable magnitude and diverse character. His entire career at the bar was marked by a degree of fidelity, of strict integrity, rigid honesty, and thoroughness that made him honored and respected by his brother members, and sought after and trusted by those who had confided their affairs to him. This upright man never betrayed any trust or did aught but bring honor, luster, and distinction to the bar of which he was an honored member.

In 1873 he married Mary E. Hollis, of Natick, and at once removed to that town. Here it was that he lived the balance of his life. He became identified with every interest of the town that tended to the advancement and the betterment of the institutions, the industries, and the individuals that go to make this splendid, typical, progressive New England town. He had come to the town with some experience in public affairs. From his earliest manhood he had shown a lively interest in such matters, and in 1869, while a resident of the town of Weymouth, he had been elected a member of the school board and had served up to the time of his removal to Natick. Espousing the cause of the Republican Party with which he had identified himself on attaining his majority, and in which party he came in the fulness of time to occupy a prominent part, in 1871 he was elected to the general court. So active was the interest which he manifested in public questions that in 1880 he was elected to the Massachusetts senate, and served two terms in that body. He played a prominent part in the upper chamber, his training, his experience, and his great zeal and industry making him a valuable member of the important committees to which he had been assigned. In 1888 he was a presidential elector. His interest in town affairs never flagged, and for many years he was the honored moderator of the Natick town meetings, being frequently unanimously chosen.

One phase of his interest in public questions was his lifelong devotion to the cause of temperance. He always believed that this moral question was so closely related to the public welfare that this energetic man took more than a passive interest in this question, and actively identified himself with the Grand Temple of Honor and Temperance and with the Massachusetts Total Abstinence Society. He held office in both of these organizations. His heart was in the work, and the friends of the temperance movement mourn his loss and find it hard to fill his place.

He was also actively interested in the Independent Order of Odd Fellows, and step by step advanced to the highest position in the State organization, and later was its representative to the Sovereign Grand Lodge.

It was a remarkable trait in the character of Mr. TIRRELL that he was never content to stay in the ranks. His untiring energy, his close application to the work at hand, his sincerity, and his real worth all combined to make and to mark him for leadership in many branches of human effort.

The attention of the citizens of the splendid fourth district in Massachusetts was more and more being attracted to CHARLES QUINCY TIRRELL, educator, lawyer, business man, and public servant, and in 1900 he was signally honored by being chosen to membership in the Fifty-seventh Congress. From that time to the Sabbath morning, July 31, 1910, when the messenger of death summoned him to his reward, he gave the best that was in him to his district, to his State, to his Nation, and to mankind.

It is not my province to dwell at any length upon the services of my predecessor in this body. His colleagues and associates of years are here assembled to attest by presence and by voice